

Agenda Item	<b>6.1</b>
Report No	<b>PLN/028/20</b>

## THE HIGHLAND COUNCIL

**Committee:** North Planning Applications Committee

**Date:** 5 August 2020

**Report Title:** 19/04529/FUL: Lochalsh and Skye Housing Association  
Development Site, South of Achmore Road, Kyleakin

**Report By:** Acting Head of Development Management – Highland

### 1. Purpose/Executive Summary

**1.1 Description:** Erection of 32 residential units (28 affordable units) access road and off-site road improvements, associated parking and landscaping (Amended Description).

**Ward:** 10 - Eilean A' Cheò

**Development category:** Local Development

**Reason referred to Committee:** Number of Objections, Community Council Objection, and Local Member Interest.

All relevant matters have been taken into account when appraising this application. It is considered that the proposal accords with the principles and policies contained within the Development Plan and is acceptable in terms of all other applicable material considerations.

### 2. Recommendation

**2.1** Members are asked to agree the recommendation to Grant planning permission as set out in section 11 of the report.

### **3. PROPOSED DEVELOPMENT**

- 3.1 This application seeks full planning permission for 32 housing units. There would be 28 affordable houses all provided within semi-detached blocks comprising 8 two bedroomed flats arranged in 4 two storey blocks, 10 three bedroomed houses accommodated in 5 two storey blocks, 4 four bedroomed houses in 2 two storey, and six 2 bedroomed houses laid out in 3 single storey blocks. The four private houses would all be one and a half storey detached buildings with two 2 bedroomed units and two 3 bedroomed houses.
- 3.2 The site is greenfield land although all services are adjacent.
- 3.3 Pre-Application Consultation: None
- 3.4 Supporting Information: Design and Transport Statements have been submitted together with a Drainage Assessment and a document entitled 'Off-site Road Upgrade Options', as well as a draft Construction Transport Management Plan.
- 3.5 Variations: The internal road layout, landscaping layout, services layout and internal road surface water soakaway details have been amended, and new drawings showing the internal street lighting and the extent of cut and fill required have been submitted in response to queries from Transport Planning– drawing nos. 3269:251 REV A, 392-PL-005 REV A, 3269:261 REV A and 3269:258, F23.3-001 and 3269:263 respectively, received 19 June 2020.

### **4. SITE DESCRIPTION**

- 4.1 The site comprises an area of open, greenfield land to the south of the Kyleakin Football Pitch and south west of a recently completed housing development of 18 units for the same developer – planning permission 17/04694/FUL, as listed below. Open land lies to the west, with the Kyleakin Community Centre situated some 150m north of the site's north western corner, while a tidal lagoon known as 'The Obbe' lies to the south and west of the site. Existing housing constructed by the Local Authority lies to the north of the football pitch, laid out in traditional linear streets with a higher density than the proposed scheme or the recently constructed housing to the north east of the site. The site lies close to the centre of Kyleakin, and would form a continuation of recent and established housing in the village's main residential quarter. The road layout within this area is characterised by narrow streets with a lack of parking provision resulting in cars parking on footways. The site would be accessed via these narrow streets. The ability of this existing infrastructure to provide a satisfactory means of access to the site has been questioned by a number of objectors, and is a key issue in this case.

### **5. PLANNING HISTORY**

- 5.1 19 April 2018 17/04694/FUL. Erection of 18 new houses consisting of 6 semi-detached, 4 detached and 8 cottage flats with new access road and drainage arrangements with air to air/water heat pumps, Demolition of existing garages and outbuildings on site. Application Granted by Committee

## 6. PUBLIC PARTICIPATION

### 6.1 Advertised: Unknown Neighbour

Date Advertised: 15.10.2019

Representation deadline: 08.11.2019

Timeous representations: 22 Objections from Community Council, Football Club, Community Hall and 19 households

Late representations: 3 Objections from 3 households

### 6.2 Re-advertised and neighbours re-notified following submission of proposed off-site one-way traffic system.

Date re-advertised: 25.05.2020

Date neighbours re-notified: 19.05.2020

Representation deadline: 14.07.2020

Timeous representations: 12 objections from 11 households

Late representations: None

### 6.3 Material considerations raised following the first round of notification and publicity are summarised as follows:

- a) Additional traffic would exceed capacity of existing roads and pavements resulting in road and pedestrian safety issues. A new access road should be provided to the west. Officer Response: The issue of whether the existing road system in the vicinity of the site would be capable of dealing with the additional traffic generated by the scheme is recognised as a significant consideration in this case. Following discussions on this key matter Transport Planning are satisfied that off-site road improvements in the form of a one-way system with footway improvement/widening would provide a satisfactory means of access for vehicles and pedestrians, see paragraph 7.2 below.
- b) Loss of green space and adverse impact on wildlife and saltmarsh – Environmental Impact Assessment should have been undertaken. Officer Response: The proposals do not fall within the scope of development to which the Environmental Assessment Regulations apply. The site is not subject to any environmental designations, and there is no record of any protected species being seen on the site on the National Biodiversity Network Atlas for Scotland, see paragraphs 10.8 and 10.12 below.
- c) Play Park should be included. Officer Response: The applicant has agreed to pay an upfront Developer Contribution which would include a sum for new Green Infrastructure. Development Plans have indicated that this money could be directed to contributing for a new playpark in Kyleakin, see paragraph 7.1 below.
- d) Surface Water drainage may adversely affect Football Pitch. Officer Response: The Flood Risk Management Team have no concerns in respect of the proposed surface water drainage arrangements, see paragraph 7.3 below.

- e) High fence needed along boundary with Pitch. Officer Response: a condition in respect of boundary treatments can be applied, see condition 1 below.
- f) Emergency Access Route could be used as a rat-run by residents, a barrier is needed. Officer Response: A condition requiring the provision of a suitable barrier to be installed at the southern end of this route before first occupation of the development can be applied, see condition 2 below.
- g) Possible loss of mains water pressure and possible adverse impact from additional water pumping station. Officer Response: Scottish Water have no objection to the proposal on the basis of insufficient capacity, see paragraph 7.6 below.
- h) Poor quality of design with suburban appearance. Officer Response: The design is considered to respond well to the local context, see paragraph 10.9 below.
- i) Proposal would place strain on existing school as well as services and infrastructure. Officer Response: No objections have been received from consultees in respect of local infrastructure, and Development Plans have stated that the Primary School is not approaching capacity, see paragraph 7.1 below.

6.4 New material considerations raised following the second round of notification and publicity are summarised as follows:

a) Proposed one-way traffic system would not address the road and pedestrian safety concerns previously raised. Blind spots and limited manoeuvrability exist along this proposed one-way route and servicing of the King's Arms Hotel would be adversely affected. Officer Response: Transport Planning are satisfied that the proposed off-site road improvements would provide an appropriate solution for vehicular and pedestrian access. The King's Arms Hotel has a large area for parking and servicing to its rear, and servicing vehicles should not obstruct the public highway.

b) Application is seemingly being rushed through under the cover of the current Covid-19 emergency without the chance for the Community to properly express their views. Officer Response: The application has been advertised twice and neighbours have been notified twice to provide an opportunity for comment on the proposed off-site road improvements which represent a change to the original scheme. The proposal falls below the threshold for which public consultation by the developer is necessary, although they did hold such an event in advance of submitting the application. The Chief Planner has advised that applications should not be unnecessarily delayed by the Covid-19 situation, see paragraph 10.7 below.

6.4 All letters of representation are available for inspection via the Council's eplanning portal which can be accessed through the internet [www.wam.highland.gov.uk/wam](http://www.wam.highland.gov.uk/wam).

## 7. CONSULTATIONS

7.1 Development Plans: No Objection. The site forms part of the KA02 Housing Allocation in the West Highlands and Islands Local Development Plan 2019, as such the principle of housing development on the site is supported by the adopted Development Plan. The number of units proposed (32), plus the 18 recently

constructed following the granting of application 17/04694/FUL as listed above significantly exceeds the indicative capacity of 26 units. However, the number proposed is considered acceptable on the basis that:

- a) the proposed density is similar to the adjacent houses;
- b) the vast majority of the site is not at risk of coastal flooding (which was a potential development constraint considered when the allocation was made); and
- c) the site is centrally located within the village and is close to key facilities, reflecting the Placemaking Priority for Kyleakin to 'support the central expansion of the village'.

It is considered that there appear to be sufficient active travel provisions within the proposal, although it is unclear if any upgrades to the existing track to the Community Hall are necessary or planned, and it is also unclear if any formal access points are proposed to the adjacent football pitch. No capacity issues are identified in either Kyleakin Primary or Plockton High Schools, but Developer Contributions are required in respect of Community Facilities and Green Infrastructure totalling £32,600. The applicant has stated that they are willing to pay this amount. There is an existing playpark at the western end of Olaf Road which, as noted by some objectors, is somewhat dilapidated and out of date. The developer contribution in respect of green infrastructure and community facilities can be directed towards either an upgrade or a replacement of this facility.

- 7.2 Transport Planning: No Objection. Further information was sought in respect of the key issue of the scheme's impact on all traffic modes on the local road network and appropriate mitigation; pedestrian and cycle routes to the local school and other important local facilities; surface water drainage; availability of public transport; preliminary street lighting and a framework Construction Traffic Management Plan.

Following the receipt of further information, as well as dialogue on the issue of the ability of the local network to accommodate the scheme, Transport Planning are generally satisfied with the proposed Option 1 off-site road upgrade which features a one-way system of traffic flows to minimise vehicular conflicts. This system would have vehicles entering the site being directed from Kyleside to Olaf Road via the U4885, while those leaving the site would access Kyleside via the U4887. The carriageways along the two one-way routes would be resurfaced, with the U4887 reduced in width to allow for the installation of a contiguous footway to provide the necessary active travel link. Olaf Road would continue to provide a two-way carriageway. Transport Planning require the width of this footway to be limited to 1.5m and advise that the Council would prepare and make the necessary traffic orders, with the developer required to meet all legal, administrative and engineering costs associated with their introduction. The one-way traffic orders and the associated works would need to be in place prior to the first occupation of any dwelling within the proposed development, and no off-site engineering works could commence without formal permission from the Council as Roads Authority. Conditions are also required in respect of the maintenance of unadopted internal roadside verges and landscaped areas and the agreement of a detailed Construction Traffic Management Plan.

- 7.3 Flood Risk Management Team: No objection. Based on the topographic survey submitted with the application the Flood Team are satisfied that the ground and finished floor levels would be well in excess of the maximum predicted coastal

flooding event of 4.02m Above Ordnance Datum. As such, no conditions are sought in respect of flood risk. Site drainage is to be via infiltration, and the Flood team have no concerns with the proposed drainage strategy, and seek no condition in this respect.

- 7.4 Access Officer: No objection. As the site is adjacent to a Core Path it is recommended that a condition be applied which prevents obstruction of this route both during and after construction. It is also noted that there are existing rights of public access to the site (as with all undeveloped land in Scotland), and it is therefore recommended that to mitigate for the loss of that access that the development be linked at both its eastern and western ends to this Core Path by new footpaths. However, the land necessary to achieve such a link at the western end of the site does not lie within the applicant's control, although a condition requiring such a footway at the site's eastern end can be applied.
- 7.4 Historic Environment Team: The site is considered to have archaeological potential, and while the risk of encountering buried deposits is not such as to warrant a full excavation it is important to identify and record the nature and extent of any features before they are destroyed by development. As such, a condition requiring an archaeological watching brief during site clearance and excavation works is required.
- 7.5 SEPA: No objection. SEPA provide similar advice to the Flood Team in respect of the lack of risk from coastal flooding, and do not seek any conditions.
- 7.6 Scottish Water: No objection. The development would be supplied with fresh water from the Kyle of Lochalsh Water Treatment Works, and foul drainage would be directed to the Kyleakin Waste Water Treatment Works.

## 8. DEVELOPMENT PLAN POLICY

The following policies are relevant to the assessment of the application

### 8.1 Highland Wide Local Development Plan 2012

- 28 - Sustainable Design
- 29 - Design Quality and Place-making
- 31 - Developer Contributions
- 32 - Affordable Housing
- 34 - Settlement Development Areas
- 56 - Travel
- 58 - Protected Species
- 59 - Other important Species
- 60 - Other Importance Habitats
- 64 - Flood Risk
- 66 - Surface Water Drainage
- 75 - Open Space
- 77 - Public Access

## 8.2 **West Highlands and Islands Local Development Plan 2019**

Kyleakin is classified as a Main Settlement where Policy 2 – Delivering Development applies. This policy states that development of the locations and uses specified in the main settlements sections of this Plan will be supported subject to provision of the necessary infrastructure, services and facilities required to support new development as indicated in the Plan. As noted above, the site falls within the KA02 housing allocation. Kyleakin's Placemaking Priorities of relevance to this site are to:

- Support the central expansion of the village.
- Support new employment opportunities particularly on previously developed land within the village and at Altanavaig Quarry.
- Encourage improved walking and cycling links.

## 8.5 **Highland Council Supplementary Planning Policy Guidance**

Roads and Transport Guidelines for New Developments (May 2013)  
Developer Contributions (March 2013)  
Flood Risk and Drainage Impact Assessment (Jan 2013)  
Standards for Archaeological Work (March 2012)  
Sustainable Design Guide (Jan 2013)

## 9. **OTHER MATERIAL POLICY CONSIDERATIONS**

### 9.1 **Scottish Government Planning Policy and Guidance**

A Successful, Sustainable Place - Enabling Delivery of New Homes  
PAN 42 Archaeology  
PAN 61 Planning for Sustainable Urban Drainage Systems (SUDS)  
PAN 68 Design Standards  
PAN 74 Affordable Housing  
PAN 77 Designing Safer Places  
PAN 79 Water and Drainage

## 10. **PLANNING APPRAISAL**

10.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

### **Determining Issues**

10.2 This means that the application requires to be assessed against all policies of the Development Plan relevant to the application, all national and local policy guidance and all other material considerations relevant to the application.

### **Planning Considerations**

10.3 The key considerations in this case are:

- a) Compliance with the development plan and other planning policy

- b) Planning Procedures
- c) Design and Layout
- d) Neighbour Amenity
- e) Access and Parking
- f) Impact on the natural environment
- g) Affordable Housing

**a) Development plan/other planning policy**

- 10.4 Development Plan Policy is set out in the Highland-wide Local Development Plan (HwLDP), the West Highland and Islands Local Development Plan (WestPlan), and statutorily adopted supplementary guidance.
- 10.5 The site is located within the Kyleakin Settlement Development Area as defined within WestPlan. The site is allocated to meet short-term housing need. As noted above, while the proposal exceeds the indicative capacity of the site's allocation the Development Plans team consider that the number of units proposed is considered acceptable on the basis that the density would be compatible with that of adjacent housing, that flood risk is not a constraint on the amount of the site which could be developed, and that the Placemaking Priority of supporting Kyleakin's central expansion would be met. It should also be noted that the proposed development would be consistent with the other relevant Placemaking Priority of supporting new employment opportunities at Altanavaig Quarry, where there is a recently constructed processing plant producing fish farm food. It is therefore considered that the proposal is in compliance with Policy 2 and Allocation KA02 of the Development Plan.
- 10.6 The Development Plan contains a number of further policy tests that must be taken into account in determining this application; in particular matters related to layout, design, place-making and infrastructure provision. If there are no significant impacts arising from these matters, then the application can be supported.

**b) Planning Procedures**

- 10.7 A letter issued by the Chief Planner for the Scottish Government on 3 April 2020 set out the crucial role that Planning plays within and beyond the emergency and clearly established that the Planning process must continue with planning applications moving through the system. Although the Council cannot hold committee meetings during the outbreak in the conventional sense, virtual committees are now in operation to allow applications to be fully considered. All of the submitted representations have been considered and addressed in this assessment of the application.
- 10.8 This proposal does not fall within any of the categories of development for which an Environmental Assessment is required.

**c) Siting and Design**

- 10.9 The linear 'street' form of the affordable element of the proposal complements the existing pattern of development to the north and features reasonable amounts of amenity space to the front and rear of each block, with additional landscaped areas



around the requisite parking areas. The private houses to the south of the site are in larger plots which provide an appropriate density transition towards the Obbe. The design of the scheme is similar to that of the recently constructed scheme granted by permission 17/04694/FUL and is considered to be of good quality. The design respects the local vernacular by virtue of the proposed buildings' rectangular floorplans, symmetrically pitched roofs, and a palette of finishing materials featuring white render and untreated larch boarding on the walls, with concrete tiles and corrugated metal sheeting on the roofs. The varying heights and forms of the buildings add visual interest to the scheme and is reflective of the local pattern of development.

#### **d) Neighbour Amenity**

- 10.10 The nearest existing or planned dwelling to the proposed scheme would lie some 25m to the northeast of the closest house, at the north eastern corner of the site. This is sufficient separation to safeguard the privacy and amenity of this existing property which lies within the scheme granted by application 17/04694/FUL. The older housing to the north of the site enjoys a substantial degree of separation due to the presence of the Football Pitch.

#### **e) Access and Parking**

- 10.11 As noted above, the ability of the existing road infrastructure in the vicinity of the site to deal with the additional traffic which would be generated by the scheme is a key concern in this case. The narrowness of the existing streets, coupled with limited parking provision for the Local Authority houses to the north of the site result in parking partially on footways and partially on the roads has resulted in concerns over the ability of the existing road layout to accommodate additional vehicular traffic resulting from the proposal. The existing road layout has traffic flowing in both directions along the carriageways, and parked cars partially obstructing these carriageways already results in obstructions to vehicular flows. Following extensive dialogue on this issue the developer has proposed a one-way system of traffic flows to minimise vehicular conflicts. This system would have vehicles entering the site being directed from Kyleside to Olaf Road via the U4885, while those leaving the site would access Kyleside via the U4887. The carriageways along the two one way routes would be resurfaced, with the U4887 reduced in width to allow for the installation of a contiguous footway to provide the necessary active travel link. Olaf Road would continue to provide a two-way carriageway. Transport Planning are satisfied that the impact of the proposal on the local road network would be sufficiently mitigated by the proposed off-site road improvements in the form of a one-way scheme which separates vehicles entering and leaving the site along the two narrow roads which connect the site with the double lane carriageway of Kyleside. No concerns are raised in respect of the amount of car or cycle parking, and conditions can be applied in relation to the matters relating to Construction Traffic Management and maintenance of unadopted roadside areas.

#### **f) Impact on the Natural Environment**

- 10.12 The site does not fall within any area designated for its flora, fauna or habitat, and a search on the National Biodiversity Network Atlas for Scotland has no confirmed cases of protect species being recorded within the application site boundaries.

### **g) Affordable Housing**

- 10.13 The applicant is a recognised provider of affordable housing, and as such it is not necessary to secure the provision of an affordable element of the scheme by means of a legal agreement, with a condition requiring the approval of a written scheme for its delivery considered sufficient.

#### **Other material considerations**

- 10.14 As noted above the applicant has confirmed that they are willing to pay the required developer contribution figure of £32,600 as an upfront sum towards green infrastructure and community facilities. This money can be directed towards the cost of either a new play park or towards upgrading the existing facility at the western end of Olaf Road or delivery of an alternative play area in the village. Should Committee decide to grant planning permission the applicant would have four weeks from the date of that decision to pay this sum. Should payment not be made by that date the application would be refused.

#### **Non-material considerations**

- 10.15 The issue of whether the title to site might allow it to be used for allotments is not a material planning consideration, nor is a Local Member's conflict of interest.

#### **Matters to be secured by Section 75 Agreement**

- 10.16 None

### **11. CONCLUSION**

- 11.1 The WestPlan identifies Kyleakin as a Main Settlement to which new development, including housing proposals, should be directed. In addition, WestPlan specifically allocates the site for the purpose of new housing. While the submitted scheme exceeds the indicative capacity of this allocation the lack of any constraint to the developable area from potential coastal flooding; the compatibility of the proposed density with existing housing in the vicinity; and the scheme's conformity with the Placemaking Priorities of supporting Kyleakin's central expansion and supporting new employment at Altanavaig Quarry allow the development to be supported.
- 11.2 Transport Planning are satisfied that the proposed off-site road improvements would provide an appropriate means for both vehicles and pedestrians to access the site, and are satisfied with all other transport infrastructure-related aspects of the scheme.
- 11.3 All relevant matters have been taken into account when appraising this application. It is considered that the proposal accords with the principles and policies contained within the Development Plan and is acceptable in terms of all other applicable material considerations.

### **12. IMPLICATIONS**

- 12.1 Resource: Not applicable
- 12.2 Legal: Not applicable

- 12.3 Community (Equality, Poverty and Rural): Not applicable
- 12.4 Climate Change/Carbon Clever: Not applicable
- 12.5 Risk: Not applicable
- 12.6 Gaelic: Not applicable

### 13. RECOMMENDATION

#### **Action required before decision Y issued**

Upfront payment of Developer Contribution of £32,600.

**Subject to the above**, it is recommended that planning permission be **GRANTED**, subject to the following:

#### **Conditions and Reasons**

1. No development or work shall commence until full details of all boundary treatments (including a high wire mesh fence along the site's northern boundary) have been submitted to, and approved in writing by, the Planning Authority. Thereafter, development and work shall progress in accordance with these approved details.  
**Reason:** In order to enable the planning authority to consider this matter in detail prior to the commencement of development; in the interests of amenity.
2. No development or work shall commence until full details of a physical barrier at the southern end of the Emergency Access Route to the site have been submitted to, and approved in writing by, the Planning Authority. Thereafter, development and work shall progress in accordance with these approved details.  
**Reason:** In the interests of amenity.
3. No development or work shall commence until full details of a 1.5m wide footway connecting the eastern end of the site to the adjacent Core Path have been submitted to, and approved in writing by, the Planning Authority. Thereafter, development and work shall progress in accordance with these approved details.  
**Reason:** In the interests of amenity and to preserve public access to the adjacent Core Path.
4. The Core Path to the south of the site shall remain accessible and free from obstruction throughout the construction and operational phases of the development.  
**Reason:** In order to safeguard public access both during and after the construction phase of the development.

5. Verges and landscaped areas along the site's internal roads and footways shall not be adopted by the Council as Roads Authority and shall be maintained by the developer.

**Reason:** To clarify road verge maintenance responsibilities.

6. No development or work shall commence until full details of a Construction Traffic Management Plan have been submitted to, and approved in writing by, the Planning Authority. Thereafter, development and work shall progress in accordance with these approved details.

**Reason:** In the interests of road safety.

7. No development or work shall commence until full details of the off-site road improvement works, including the provision of a new 1.5m wide contiguous footway along the western side of the U4887 have been submitted to, and approved in writing by, the Planning Authority. Thereafter, development and work shall progress in accordance with these approved details.

**Reason:** In the interests of road safety.

8. No development or work (including site clearance) shall commence until proposals for an archaeological watching brief to be carried out during site clearance and excavation works, in accordance with the attached specification, has been submitted to, and approved in writing by, the Planning Authority. Thereafter, the watching brief shall be implemented as approved.

**Reason:** In order to protect the archaeological and historic interest of the site.

9. Prior to the first occupation of the development hereby approved, the car and cycle parking arrangements detailed on approved plans ref. 3269:251 REV A and 392-PL-005 REV A shall be completed in full and made available for use. Thereafter, all car and cycle parking spaces shall be maintained as such in perpetuity.

**Reason:** In the interests of road safety, and that the works involved comply with applicable standards.

10. No development shall commence on site until a scheme for the provision of on-site affordable housing (which meets the definition of affordable housing outlined in The Highland Council's Affordable Housing Supplementary Planning Guidance dated August 2008 (as amended, revoked or replaced; with or without modification)) as part of the development hereby approved has been submitted to, and approved in writing, by the Planning Authority. The scheme shall include:

- i. the numbers, type, tenure and location of the affordable housing provision to be made, which shall consist of not less than 25% of the total number of housing units proposed within the application site;
- ii. the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;

- iii. the arrangements for the transfer of the affordable housing to an affordable housing provider;
- iv. the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- v. the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

Thereafter, the affordable housing shall be provided in accordance with the approved scheme.

**Reason:** To ensure that affordable housing is provided as part of the development, in order to reflect the need for the affordable housing within the area, alongside market housing, which has been established through the Council's Affordable Housing Supplementary Planning Guidance.

11. Prior to the first occupation of any dwelling within the proposed development the necessary one-way traffic orders and the associated off-site road works shall be completed to the satisfaction of the Council as Roads Authority.

**Reason:** In the interests of road safety.

12. No off-site engineering works to the public highway shall commence without formal permission from the Council as Roads Authority.

**Reason:** In the interests of road safety.

13. No development shall commence until a scheme detailing the provision of electric vehicle charging points has been submitted to and approved in writing by the Planning Authority. The scheme shall include:

- i. identification of locations for communal electric vehicle charging points serving flatted developments in the associated phase or sub-phase and located in communal parking areas and these charging point locations are to be made available to The Highland Council or other public body for the installation of the charging point infrastructure;
- ii. the provision of infrastructure, defined as the provision of cabling from the consumer unit within the property to an external point, to allow charging of electric vehicles within the curtilage of each house in each phase or sub phase, where the house has in-curtilage car parking provision;
- iii. a timescale for implementation for infrastructure within each phase or sub phase; and
- iv. outline detail of a communication pack to be provided to each household on first occupation explaining how they can access electric vehicle charging infrastructure.

The approved scheme(s) shall be implemented in line with the approved timescales.

**Reason:** To facilitate the move toward the reduction in reliance of petrol and diesel cars.

## **REASON FOR DECISION**

All relevant matters have been taken into account when appraising this application. It is considered that the proposal accords with the principles and policies contained within the Development Plan and is acceptable in terms of all other applicable material considerations.

## **TIME LIMIT FOR THE IMPLEMENTATION OF THIS PLANNING PERMISSION**

In accordance with Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended), the development to which this planning permission relates must commence within THREE YEARS of the date of this decision notice. If development has not commenced within this period, then this planning permission shall lapse.

## **FOOTNOTE TO APPLICANT**

### **Initiation and Completion Notices**

The Town and Country Planning (Scotland) Act 1997 (as amended) requires all developers to submit notices to the Planning Authority prior to, and upon completion of, development. These are in addition to any other similar requirements (such as Building Warrant completion notices) and failure to comply represents a breach of planning control and may result in formal enforcement action.

1. The developer must submit a Notice of Initiation of Development in accordance with Section 27A of the Act to the Planning Authority prior to work commencing on site.
2. On completion of the development, the developer must submit a Notice of Completion in accordance with Section 27B of the Act to the Planning Authority.

Copies of the notices referred to are attached to this decision notice for your convenience.

### **Accordance with Approved Plans and Conditions**

You are advised that development must progress in accordance with the plans approved under, and any conditions attached to, this permission. You must not deviate from this permission without consent from the Planning Authority (irrespective of any changes that may separately be requested at the Building Warrant stage or by any other Statutory Authority). Any pre-conditions (those requiring certain works, submissions etc. prior to commencement of development) must be fulfilled prior to work starting on site. Failure to adhere to this permission and meet the requirements of all conditions may invalidate your permission or result in formal enforcement action

## **Flood Risk**

It is important to note that the granting of planning permission does not imply there is an unconditional absence of flood risk relating to (or emanating from) the application site. As per Scottish Planning Policy (paragraph 259), planning permission does not remove the liability position of developers or owners in relation to flood risk.

## **Scottish Water**

You are advised that a supply and connection to Scottish Water infrastructure is dependent on sufficient spare capacity at the time of the application for connection to Scottish Water. The granting of planning permission does not guarantee a connection. Any enquiries with regards to sewerage connection and/or water supply should be directed to Scottish Water on 0845 601 8855.

## **Local Roads Authority Consent**

In addition to planning permission, you may require one or more separate consents (such as road construction consent, dropped kerb consent, a road openings permit, occupation of the road permit etc.) from the Area Roads Team prior to work commencing. These consents may require additional work and/or introduce additional specifications and you are therefore advised to contact your local Area Roads office for further guidance at the earliest opportunity.

Failure to comply with access, parking and drainage infrastructure requirements may endanger road users, affect the safety and free-flow of traffic and is likely to result in enforcement action being taken against you under both the Town and Country Planning (Scotland) Act 1997 and the Roads (Scotland) Act 1984.

Further information on the Council's roads standards can be found at: <http://www.highland.gov.uk/yourenvironment/roadsandtransport>

Application forms and guidance notes for access-related consents can be downloaded from:

[http://www.highland.gov.uk/info/20005/roads\\_and\\_pavements/101/permits\\_for\\_working\\_on\\_public\\_roads/2](http://www.highland.gov.uk/info/20005/roads_and_pavements/101/permits_for_working_on_public_roads/2)

## **Mud and Debris on Road**

Please note that it is an offence under Section 95 of the Roads (Scotland) Act 1984 to allow mud or any other material to be deposited, and thereafter remain, on a public road from any vehicle or development site. You must, therefore, put in place a strategy for dealing with any material deposited on the public road network and maintain this until development is complete.

**Construction Hours and Noise-Generating Activities:** You are advised that construction work associated with the approved development (incl. the loading/unloading of delivery vehicles, plant or other machinery), for which noise is audible at the boundary of the application site, should not normally take place outwith the hours of 08:00 and 19:00 Monday to Friday, 08:00 and 13:00 on Saturdays or at any time on a Sunday or Bank Holiday in Scotland, as prescribed in Schedule 1 of the Banking and Financial Dealings Act 1971 (as amended).

Work falling outwith these hours which gives rise to amenity concerns, or noise at any time which exceeds acceptable levels, may result in the service of a notice under Section 60 of the Control of Pollution Act 1974 (as amended). Breaching a Section 60 notice constitutes an offence and is likely to result in court action.

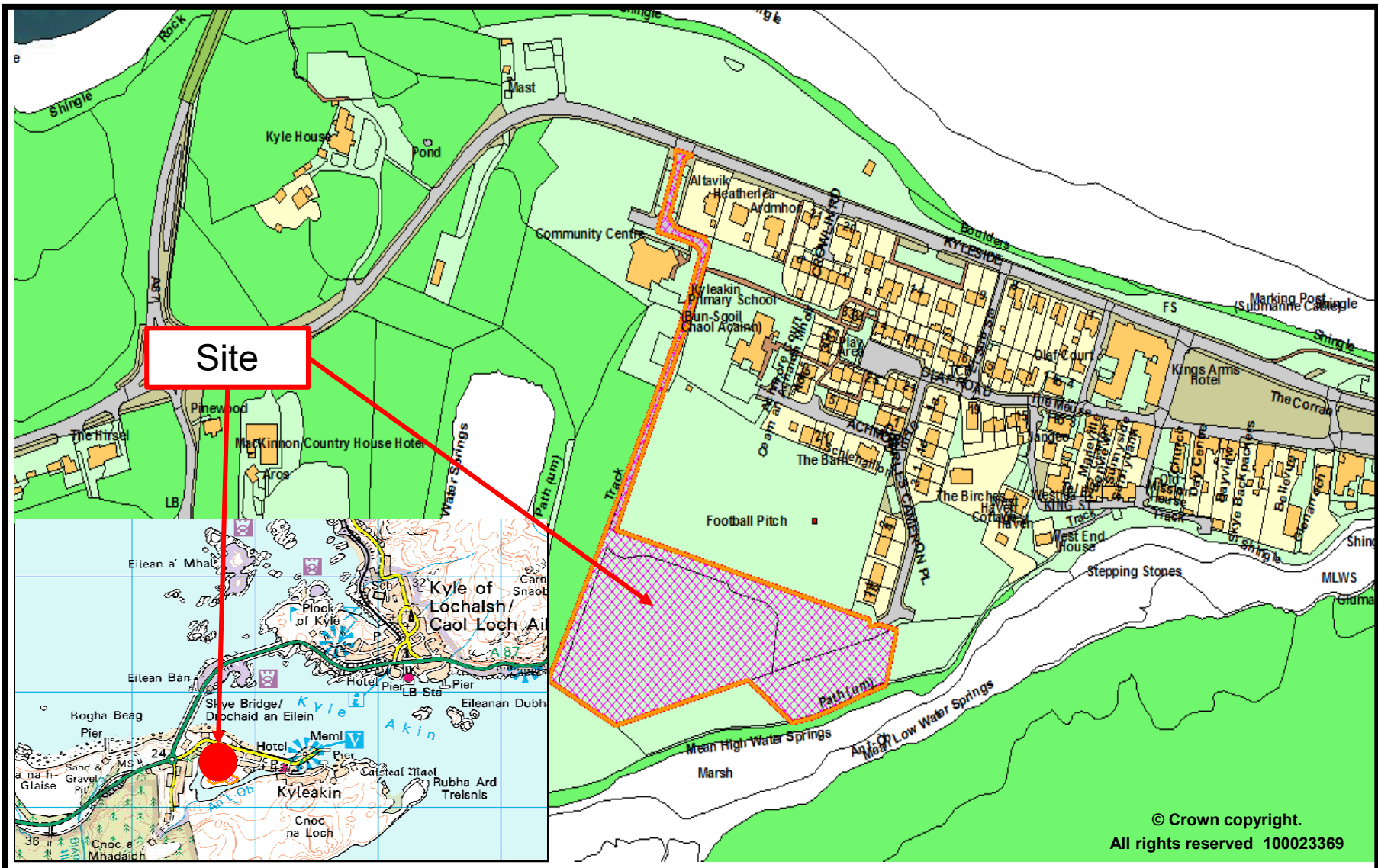
If you wish formal consent to work at specific times or on specific days, you may apply to the Council's Environmental Health Officer under Section 61 of the 1974 Act. Any such application should be submitted after you have obtained your Building Warrant, if required, and will be considered on its merits. Any decision taken will reflect the nature of the development, the site's location and the proximity of noise sensitive premises. Please contact [env.health@highland.gov.uk](mailto:env.health@highland.gov.uk) for more information.

### **Protected Species – Halting of Work**

You are advised that work on site must stop immediately, and Scottish Natural Heritage must be contacted, if evidence of any protected species or nesting/breeding sites, not previously detected during the course of the application and provided for in this permission, are found on site. For the avoidance of doubt, it is an offence to deliberately or recklessly kill, injure or disturb protected species or to damage or destroy the breeding site of a protected species. These sites are protected even if the animal is not there at the time of discovery. Further information regarding protected species and developer responsibilities is available from SNH: [www.snh.gov.uk/protecting-scotlands-nature/protected-species](http://www.snh.gov.uk/protecting-scotlands-nature/protected-species)

Designation:	Acting Head of Development Management – Highland
Author:	Graham Sharp
Background Papers:	Documents referred to in report and in case file.
Relevant Plans:	Plan 1 - Committee Location Plan Plan 2 - 392-PL-001 Location Plan Plan 3 - 392-PL-002 Site Layout Plan Plan 4 - 392-PL-003 Street Elevations Plan 5 - 392 PL 101 General Plan House Type A Plan 6 - 392 PL 201 General Plan House Type B Plan 7 - 392 PL 301 General Plan House Type C Plan 8 - 392 PL 401 General Plan House Type D Plan 9 - 392 PL 501 General Plan House Type E Plan 10 - 392 PL 601 General Plan House Type F Plan 11 - 392 PL 701 General Plan House Type G Plan 12 - 392 PL 801 General Plan House Type H Plan 13 - 3269:251 REV A Road Layout Plan 14 - 392-PL-005 REV A Landscaping Plan Plan 15 - 3269:258 Road Soakaway





**The Highland Council**  
Comhairle na Gàidhealtachd

Planning and Development Service

Location Plan  
19/04529/FUL

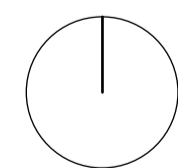
**Erection of 32 residential units (28 affordable units) access road and off-site road improvements, associated parking and landscaping. (Amended Description).  
August 2020**



Scale:



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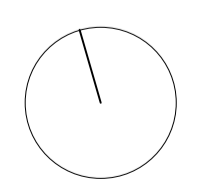
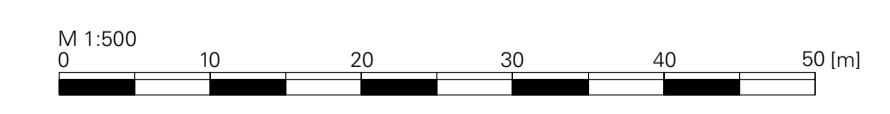
do not scale from this drawing • dimensions and levels to be checked on site by the contractor • all dimensions in millimetres unless otherwise noted • all levels in metres unless otherwise noted

revisions & notes

Client	Lochalsh + Skye HA			Project	Kyleakin Housing Phase 2
Scale	Date	Drawn	Status	Drawing Title	Dwg No.
1:1000@A1	Oct 19	MM	Planning	Location Plan	<b>392/pl/001</b>



28 Affordable Units + 4 Private Plots		
<b>A</b>	8 Units 3-4/5-6, 15-16/17-18	4P3A see 392/pl/101
<b>B</b>	10 Units 1, 7-8, 9-10, 13-14, 19, 22, 28	5P4A see 392/pl/201
<b>C</b>	4 Units 2, 20, 21, 27	7P5A see 392/pl/301
<b>D</b>	6 Units 11-12, 23-26	4P3A see 392/pl/401
Shared parking: 28 x 1.5 = 42 spaces (including 2 accessible)		
<b>E</b>	detached house	4P3A see 392/pl/501
<b>F</b>	detached house	6P4A see 392/pl/601
<b>G</b>	detached house	6P4A see 392/pl/701
<b>H</b>	detached house	7P5A see 392/pl/801



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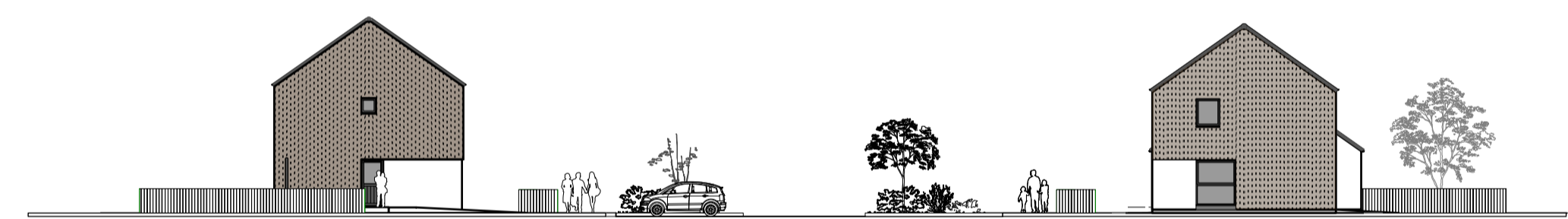
revisions & notes



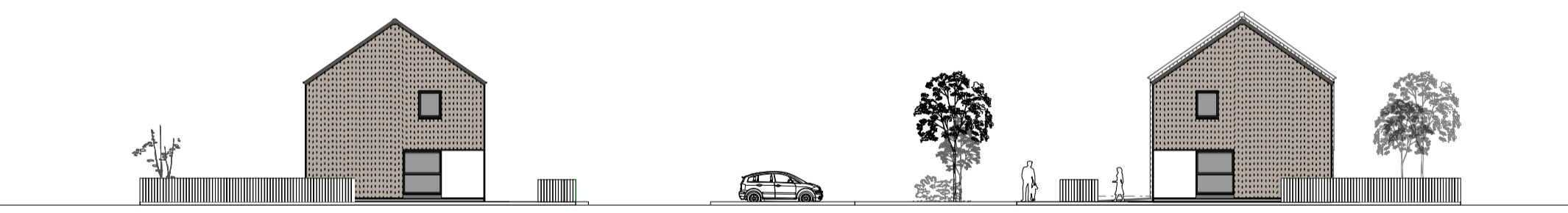
Elevation B



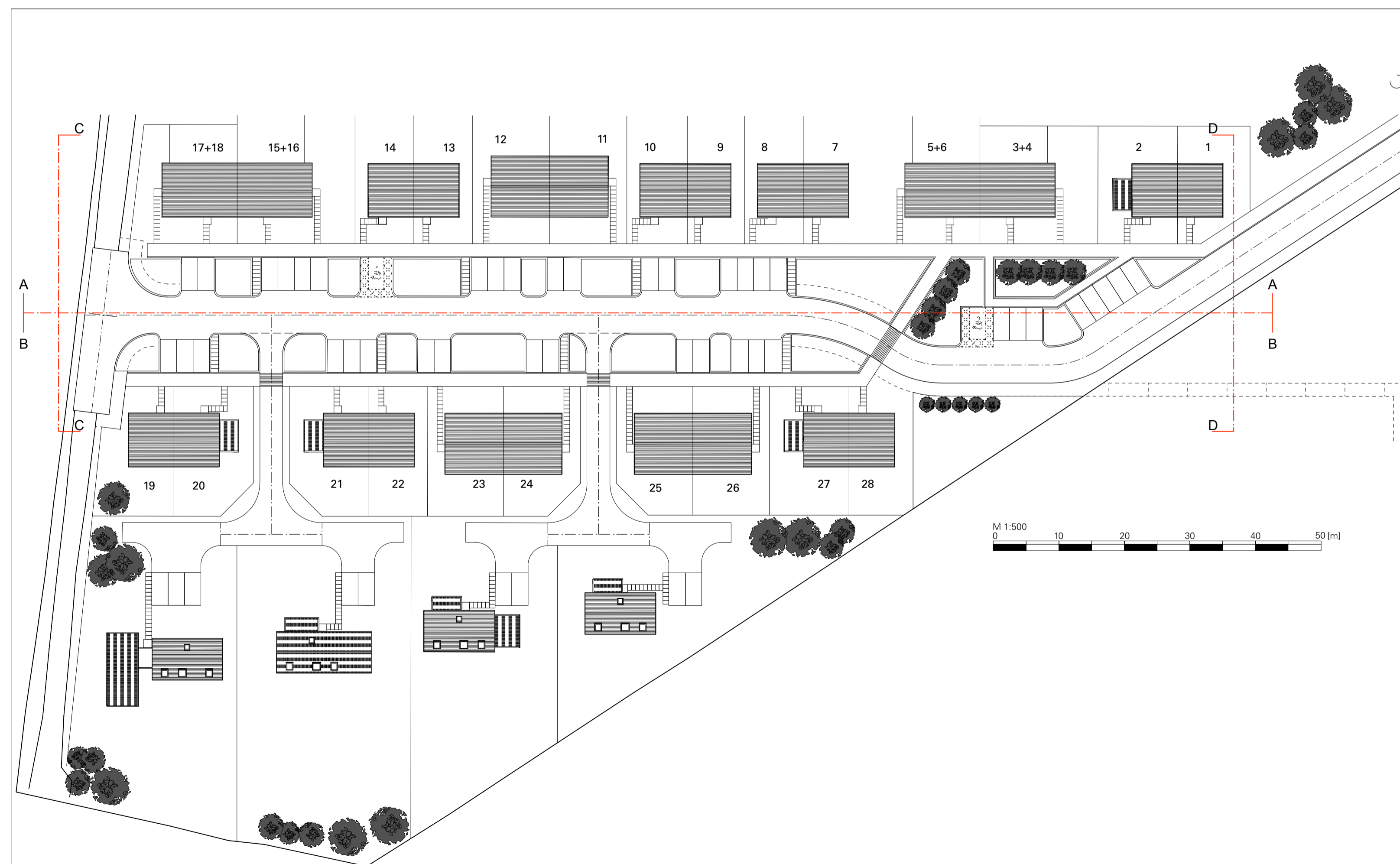
Elevation A



Elevation C



Elevation D



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revisions & notes

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tel. 01441478 613379  
www.ruraldesign.co.uk studio@ruraldesign.net

**RURAL DESIGN ARCHITECTS**

Client

Lochalsh + Skye HA

Scale

as noted@A1

Date

Oct 19

Drawn

EK

Status

Planning

Project

Kyleakin Housing Phase 2

Drawing Title

Street elevations

Fig No.

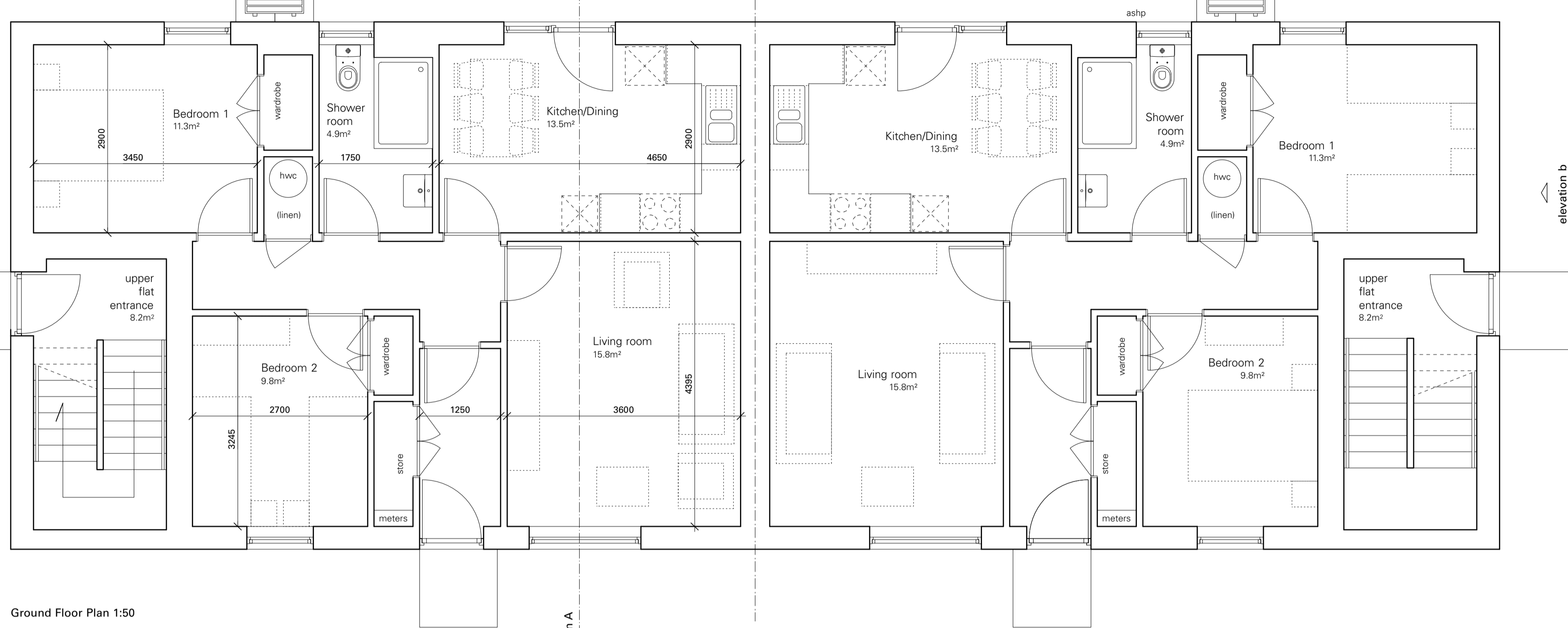
392/pl/003

# 4P3A

Plots 4+5, 16+17

4 Person 3 Apartment  
Cottage Flat

Ground Floor Area 69.9m<sup>2</sup>



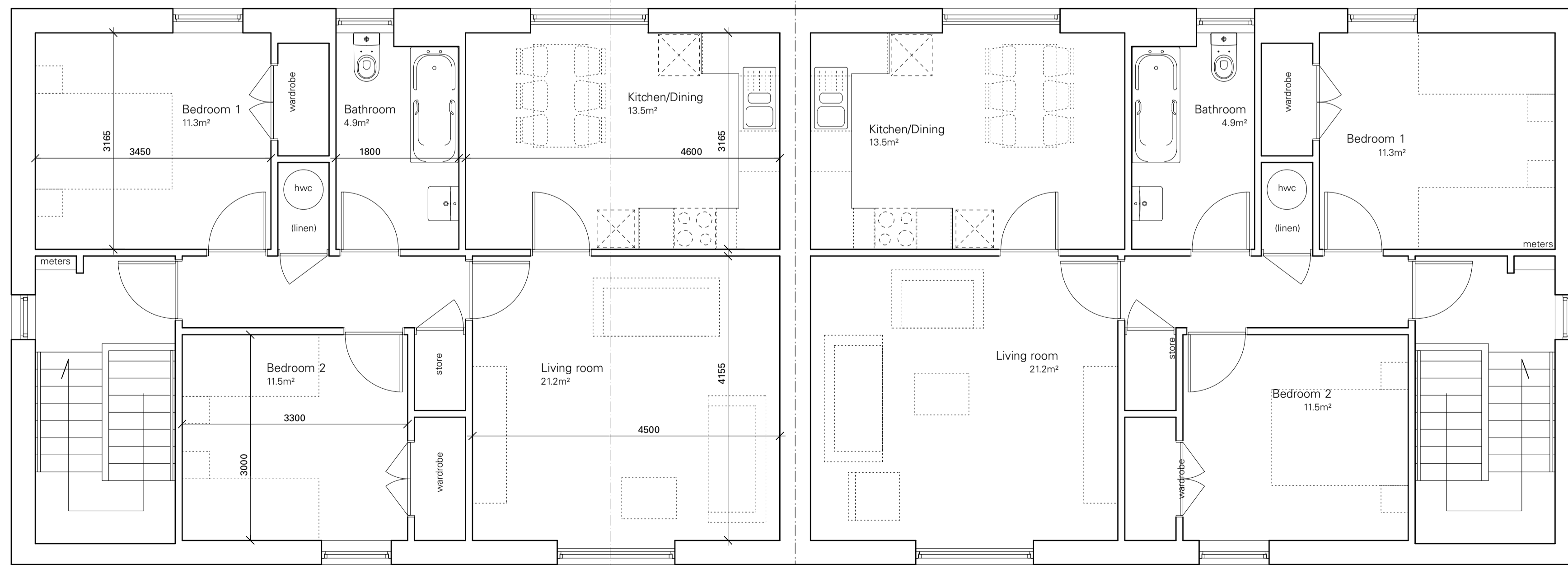
Ground Floor Plan 1:50

# 4P3A

Plots 3+6, 15+18

4 Person 3 Apartment  
Cottage Flat

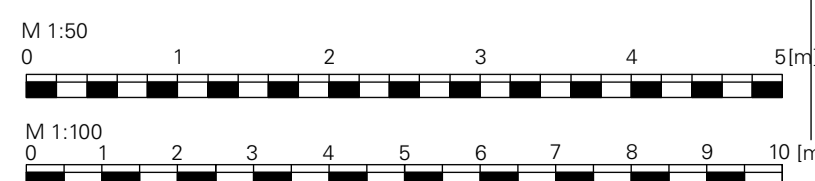
First Floor Area 80.9m<sup>2</sup>



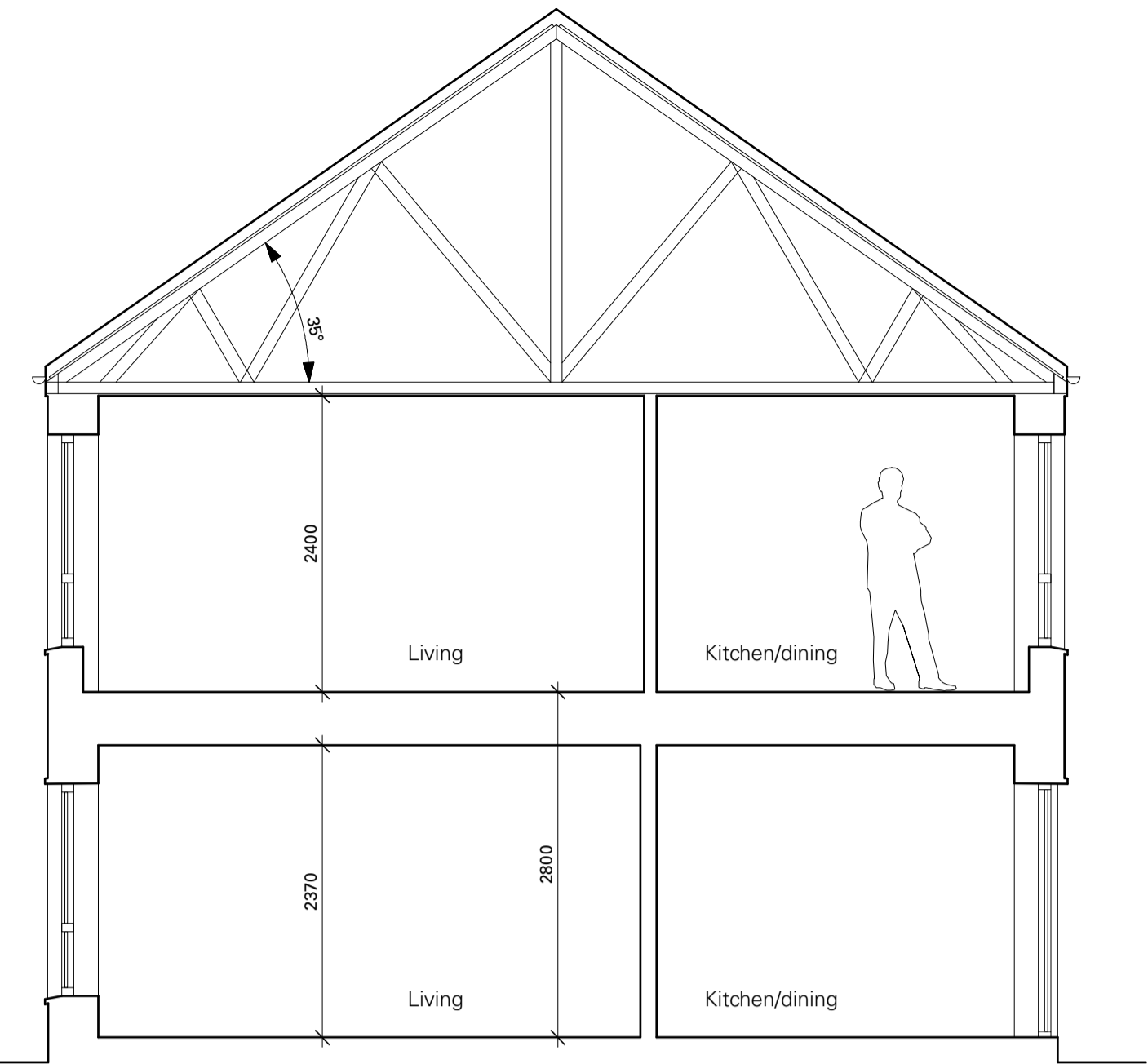
First Floor Plan 1:50

do not scale from this drawing dimensions and levels to be checked on site by the contractor all dimensions in millimetres unless otherwise noted \* all levels in metres unless otherwise noted

revisions & notes



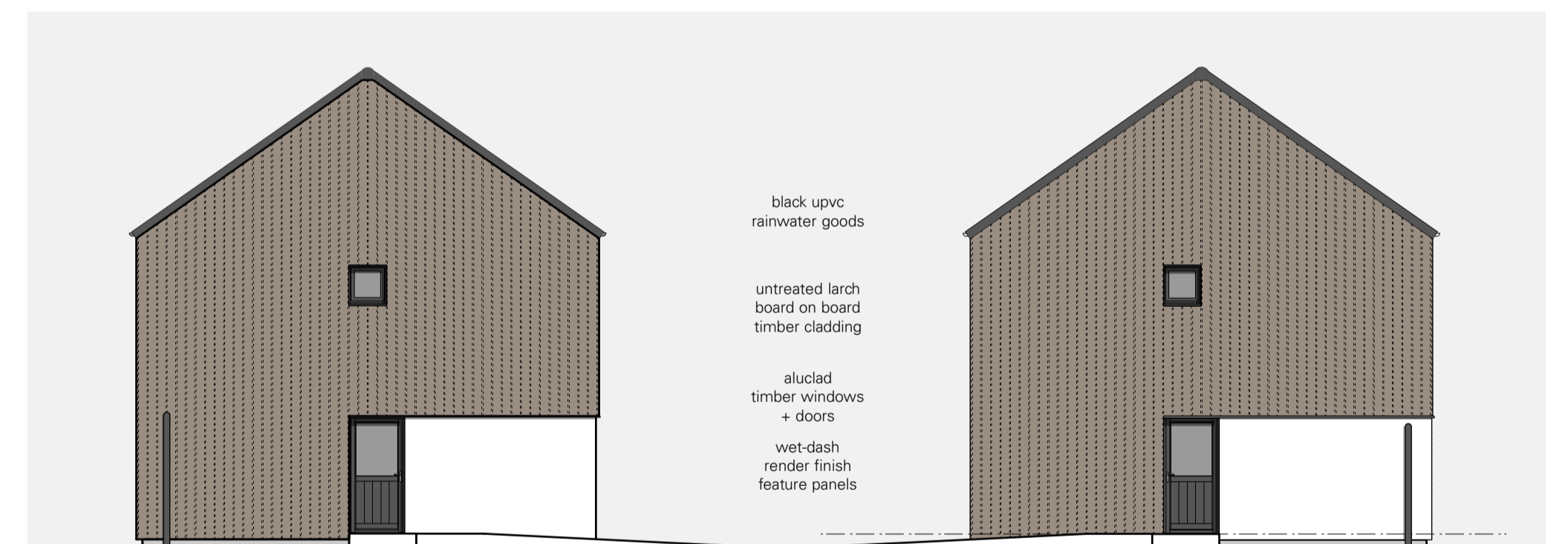
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Section A 1:50



Elevation a 1:100



Elevation d 1:100

Elevation b 1:100



Elevation c 1:100

Mill Studio, Struan Road, Portree, Isle of Skye, IV51 9EG  
tel. 01441478 613379  
www.ruraldesign.co.uk studio@ruraldesign.net

**RURAL DESIGN ARCHITECTS**

Client  
Lochalsh + Skye HA

Scale Date Drawn Status  
as noted@A1 Oct 19 EK

Project  
Kyleakin Housing Phase 2

Drawing Title  
House Type A

Dig No.  
**392 pl 101**

# 6P4A

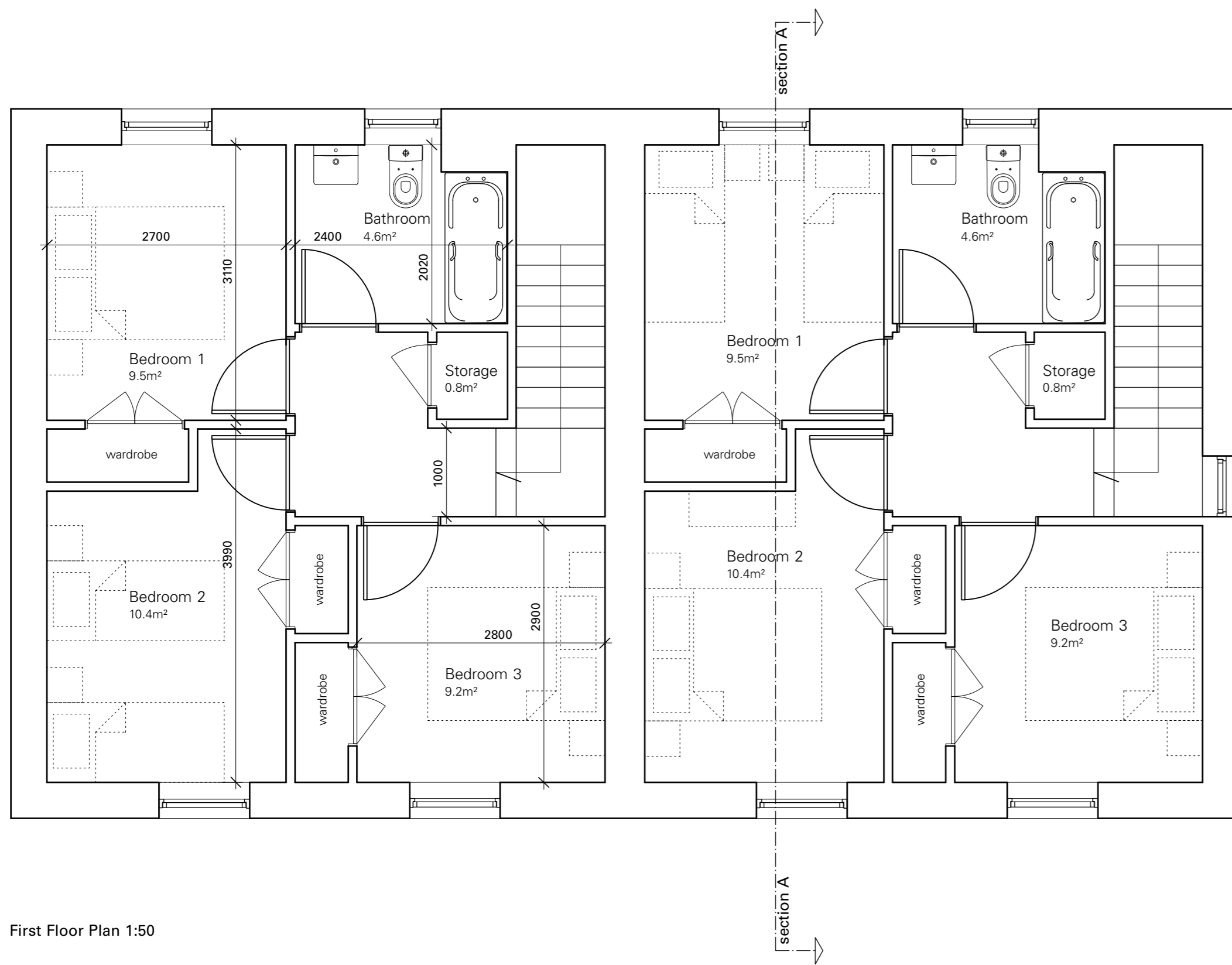
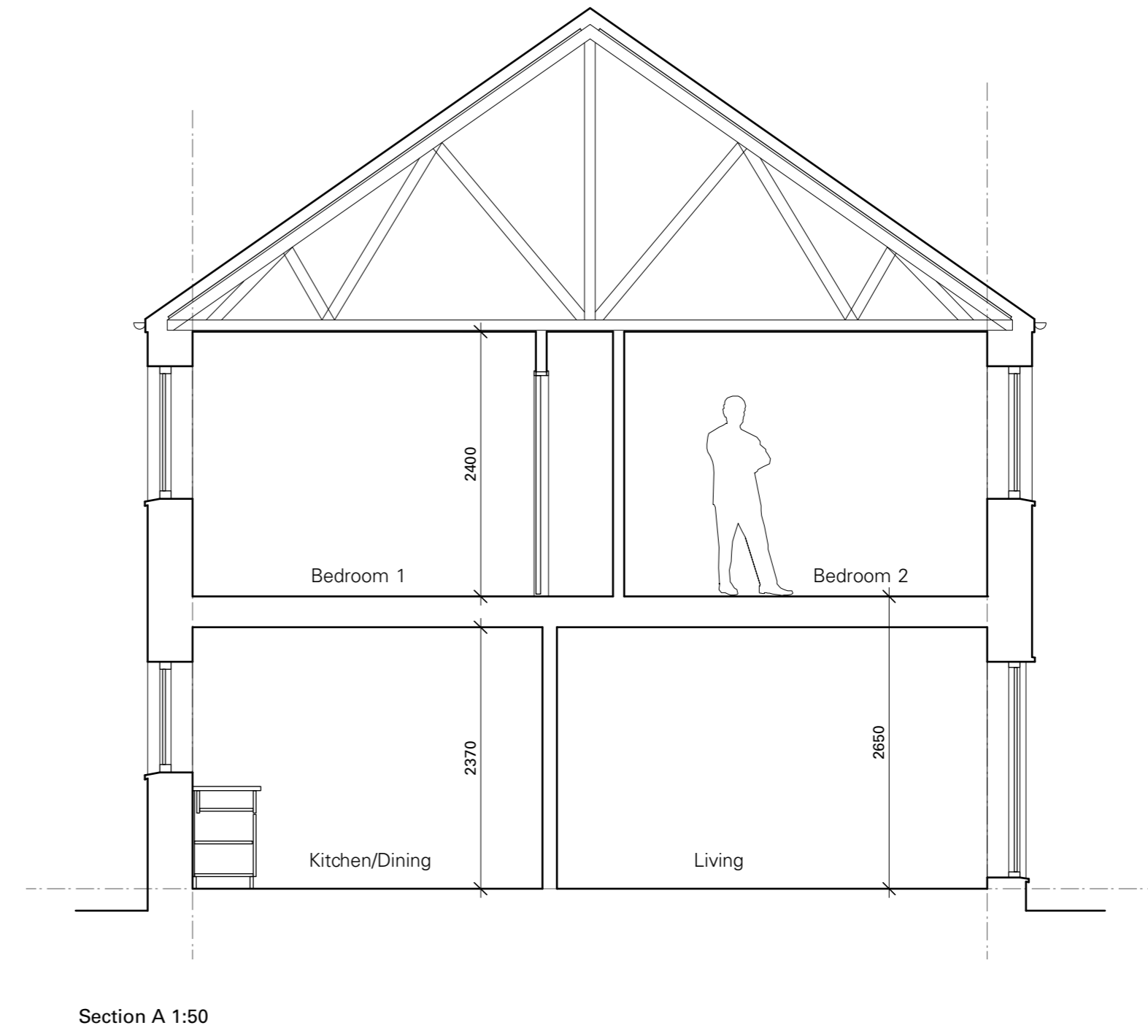
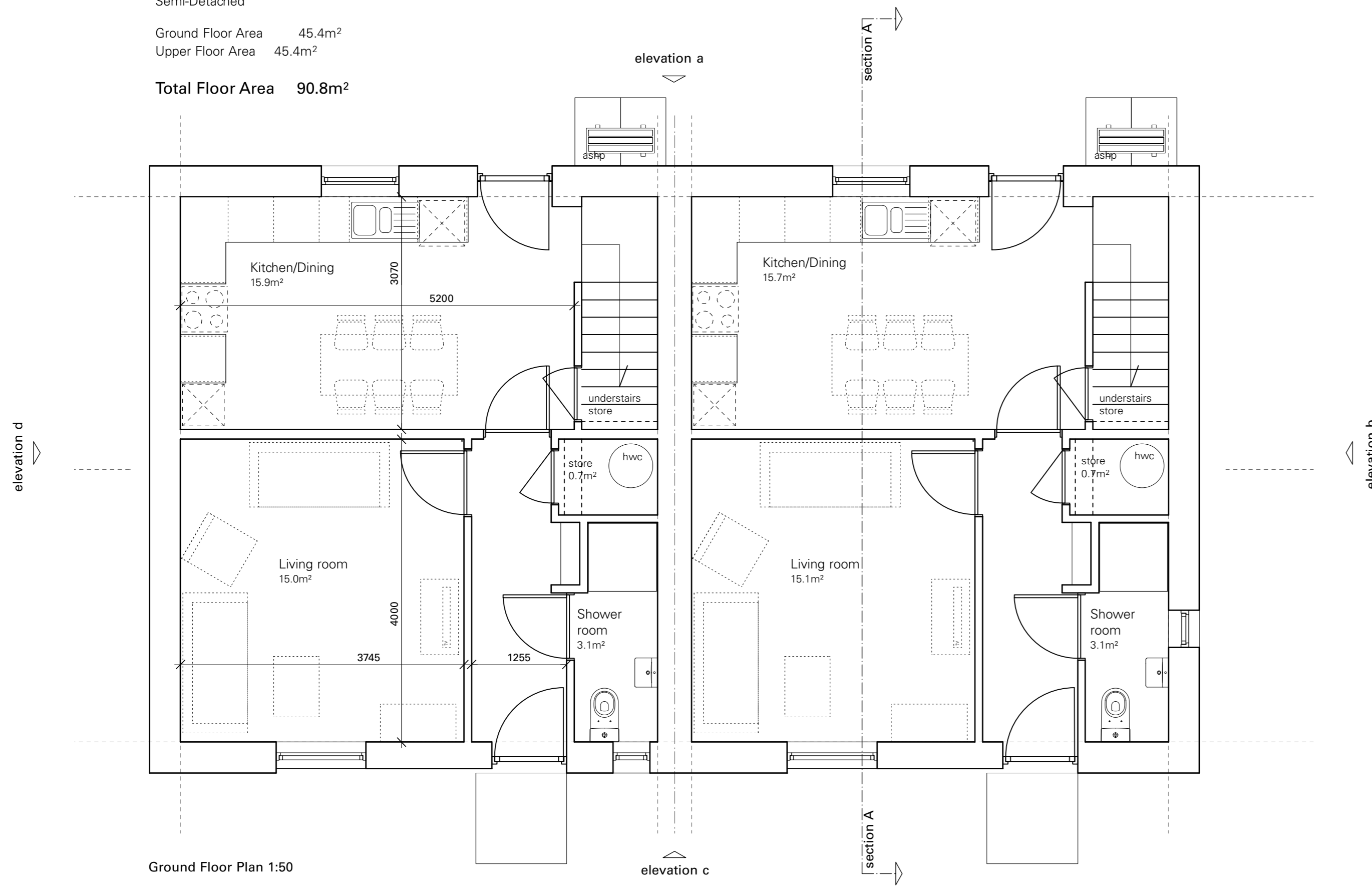
Plots 7+8, 9+10,13+14

6 Person 4 Apartment  
Semi-Detached

Ground Floor Area 45.4m<sup>2</sup>

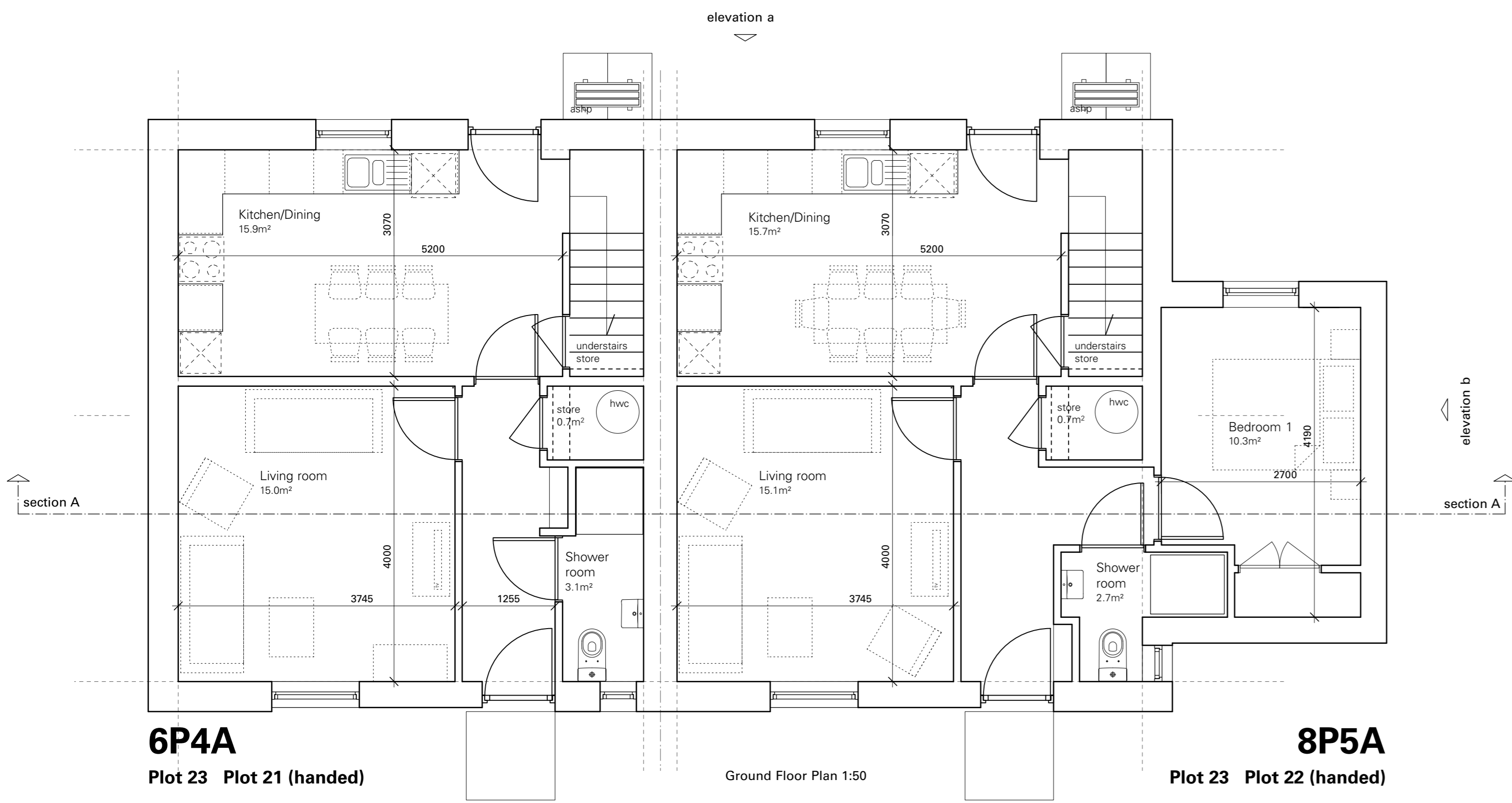
Upper Floor Area 45.4m<sup>2</sup>

Total Floor Area 90.8m<sup>2</sup>



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revisions & notes



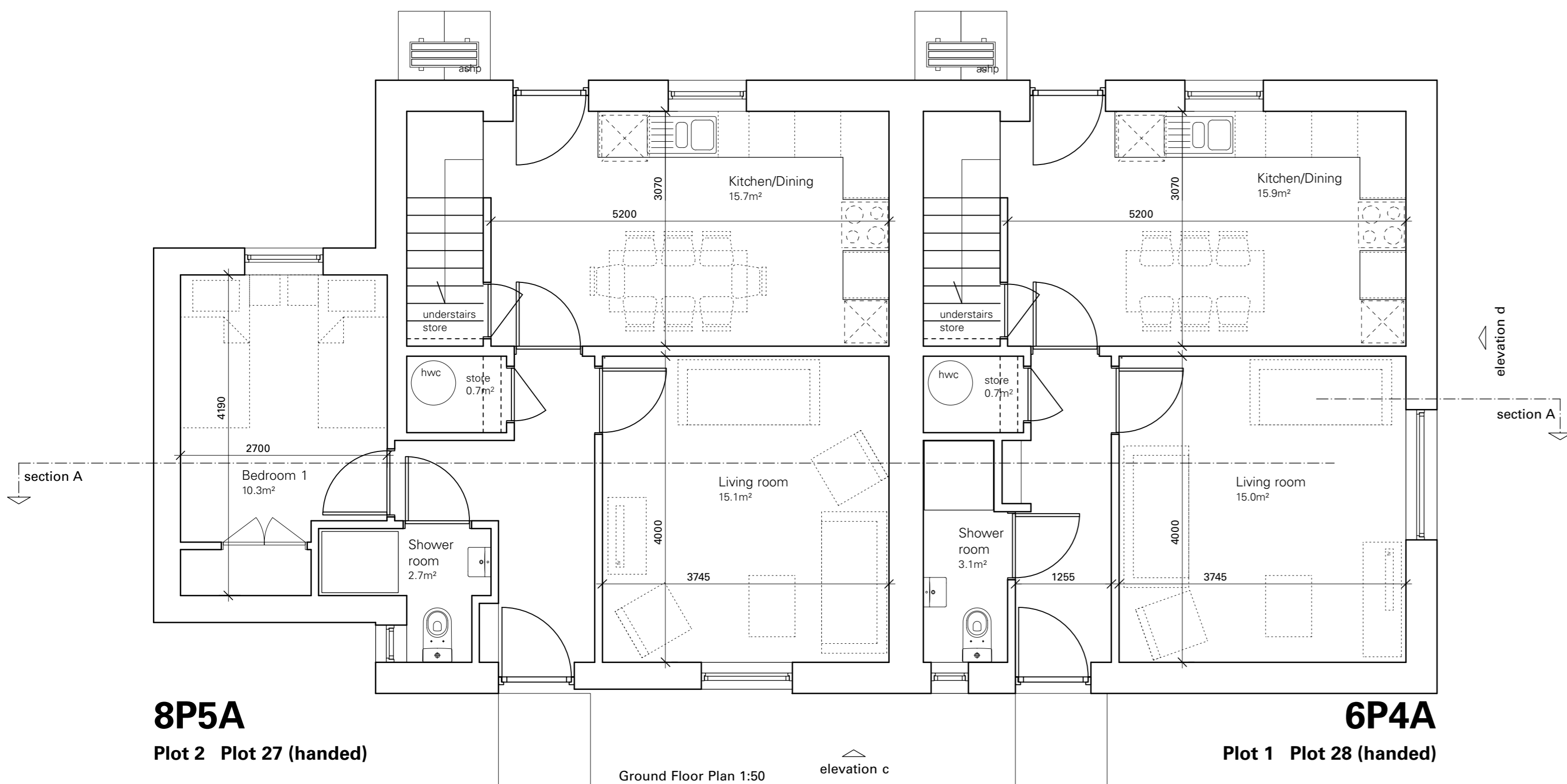
**6P4A**  
Plot 23 Plot 21 (handed)

6 Person 4 Apartment  
Semi-Detached  
Ground Floor Area 45.4m<sup>2</sup>  
Upper Floor Area 45.4m<sup>2</sup>  
Total Floor Area 90.8m<sup>2</sup>

**8P5A**  
Plot 23 Plot 22 (handed)

8 Person 5 Apartment  
Semi-Detached  
Ground Floor Area 57.8m<sup>2</sup>  
Upper Floor Area 45.4m<sup>2</sup>  
Total Floor Area 103.2m<sup>2</sup>

upper floor as house type B

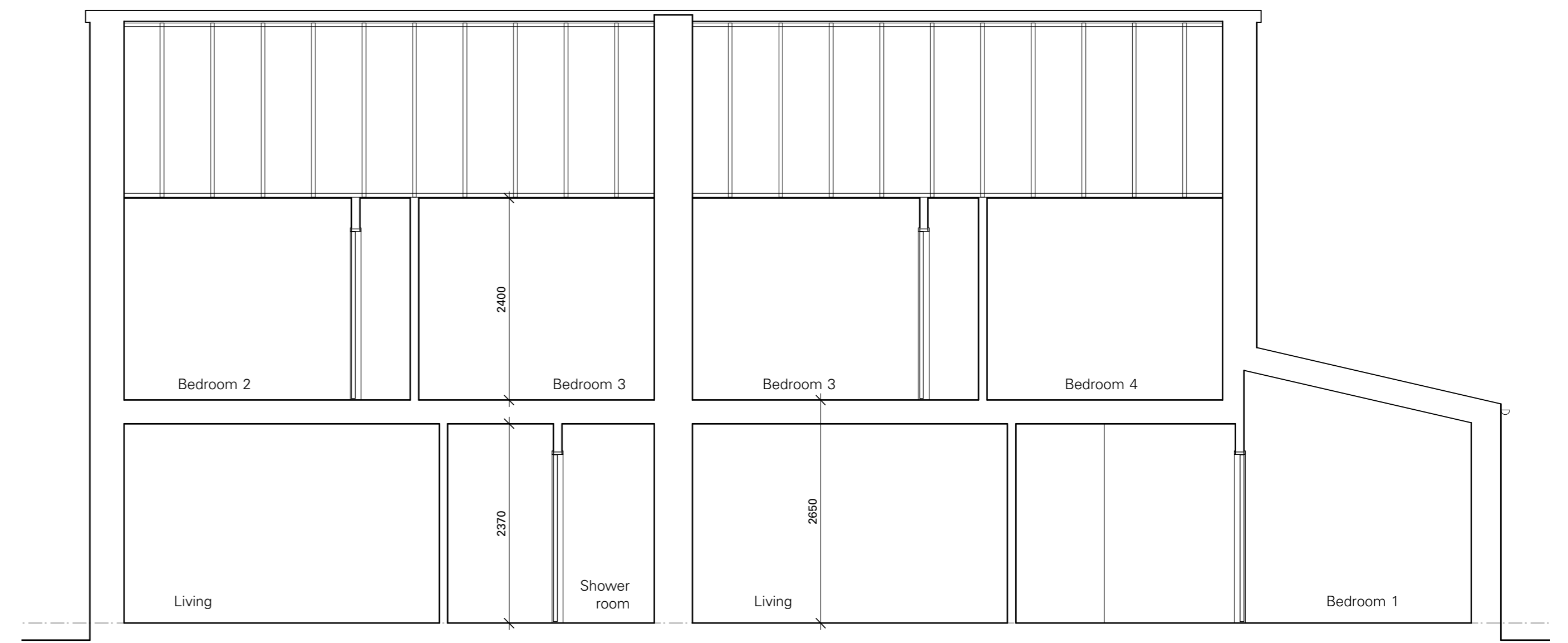


**8P5A**  
Plot 2 Plot 27 (handed)

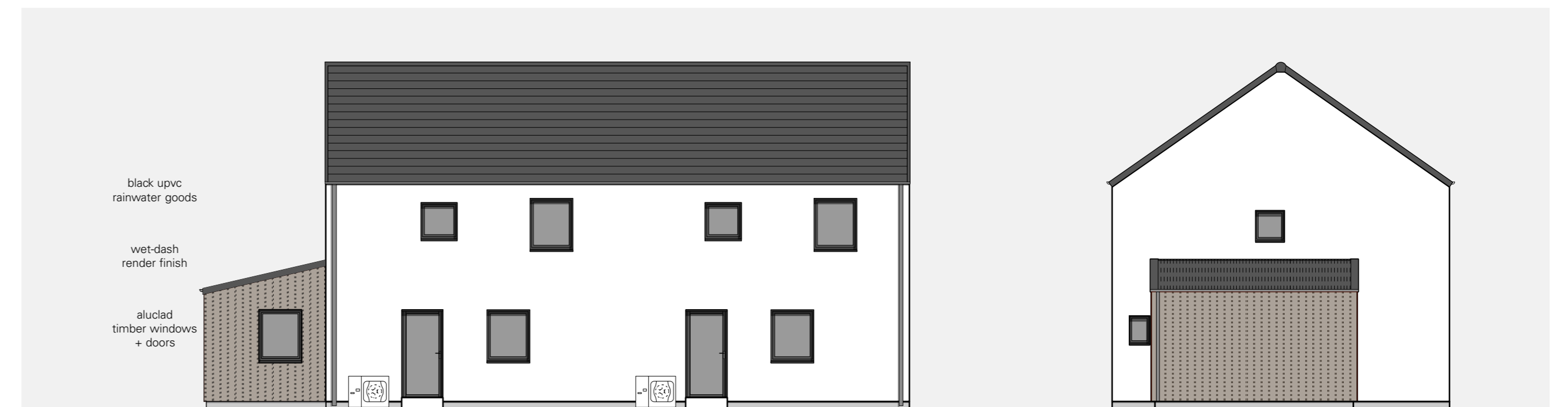
8 Person 5 Apartment  
Semi-Detached  
Ground Floor Area 57.8m<sup>2</sup>  
Upper Floor Area 45.4m<sup>2</sup>  
Total Floor Area 103.2m<sup>2</sup>

**6P4A**  
Plot 1 Plot 28 (handed)

6 Person 4 Apartment  
Semi-Detached  
Ground Floor Area 45.4m<sup>2</sup>  
Upper Floor Area 45.4m<sup>2</sup>  
Total Floor Area 90.8m<sup>2</sup>

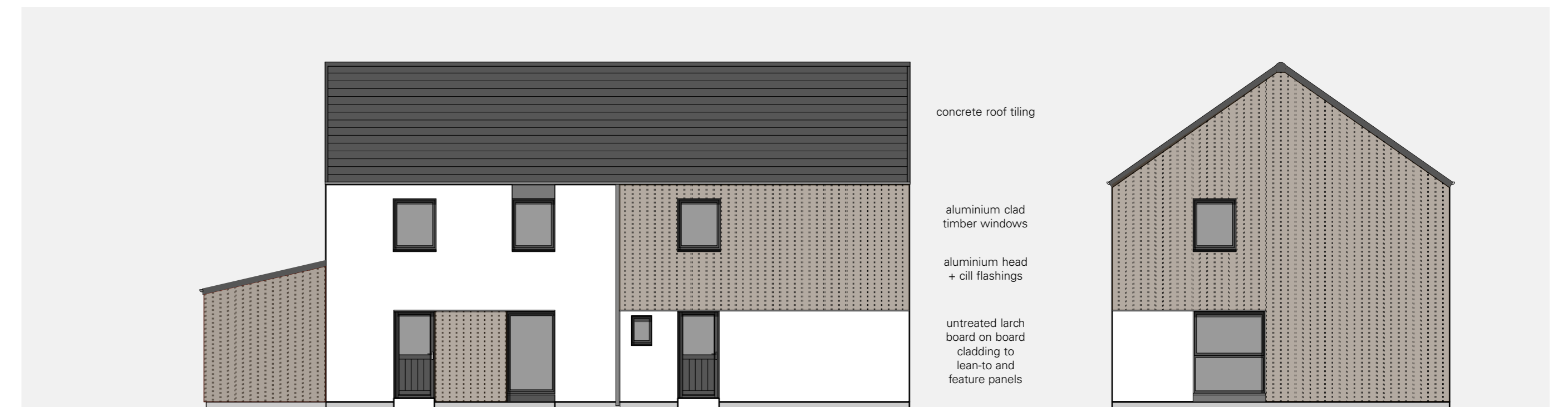


Section A 1:50



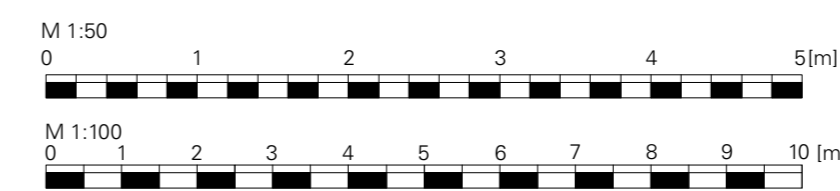
Elevation a 1:100

Elevation b 1:100



Elevation c 1:100

Elevation d 1:100



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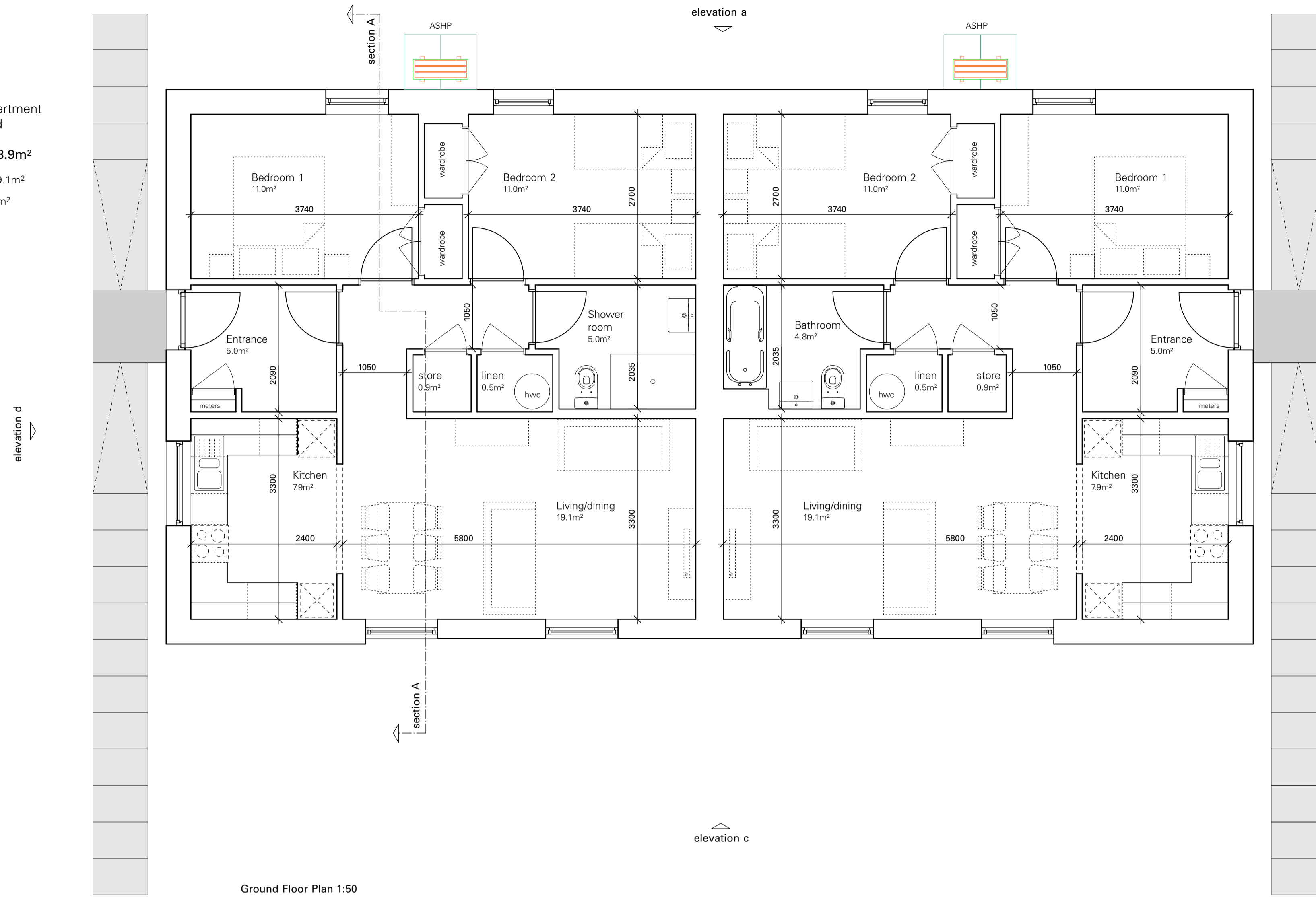
revisions & notes

# 4P3A

4 Person 3 Apartment  
Semi-detached

Floor Area 68.9m<sup>2</sup>

Living/ Dining - 19.1m<sup>2</sup>  
Kitchen - 7.9m<sup>2</sup>  
Shower room - 5m<sup>2</sup>  
Entrance - 5m<sup>2</sup>



Ground Floor Plan 1:50

# 4P3A

Plots : 11-12, 19-20, 25-26

4 Person 3 Apartment  
Semi-detached

elevation b



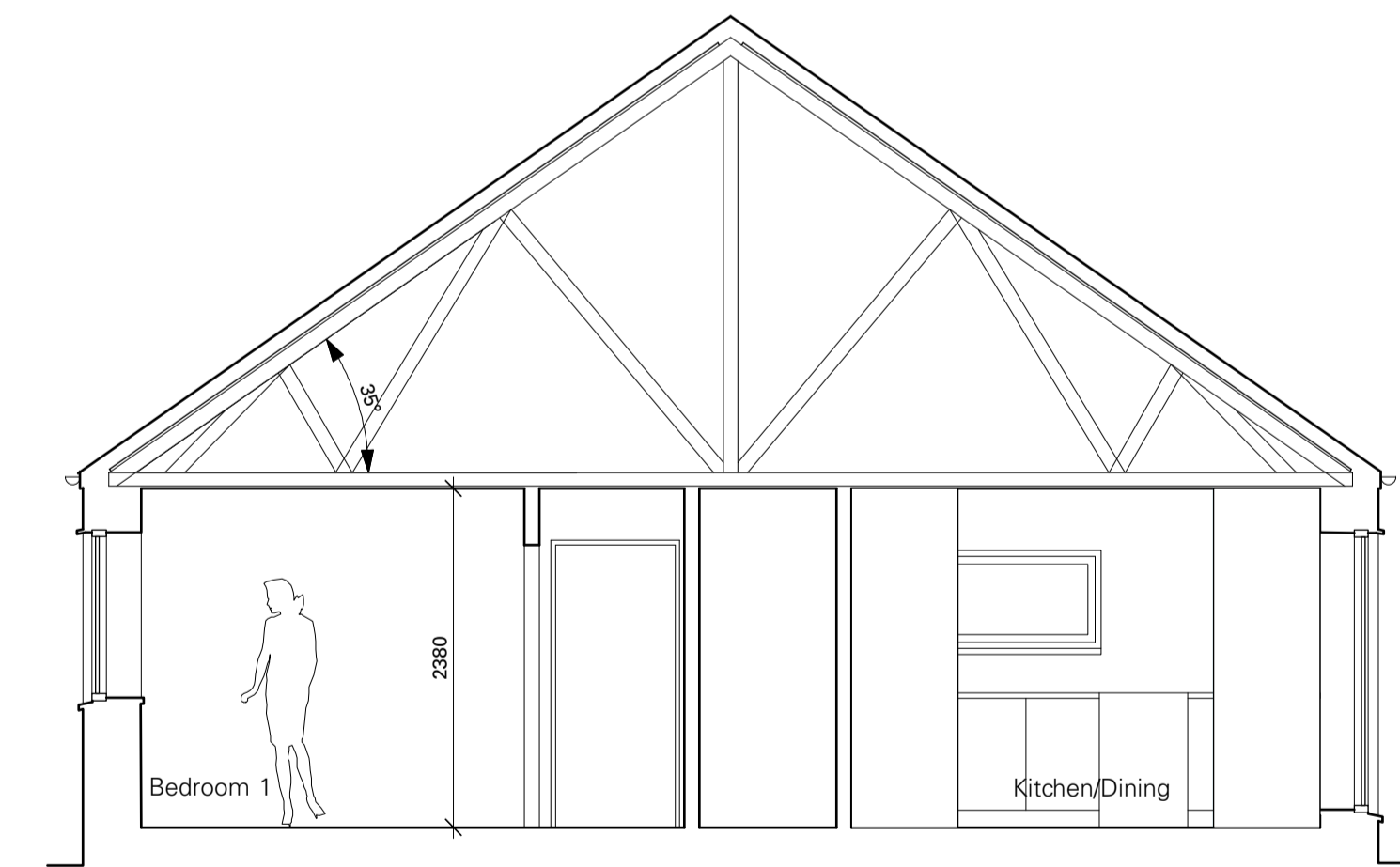
Elevation a 1:100

Elevation b 1:100



Elevation c 1:100

Elevation d 1:100



Section A 1:50



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revisions & notes

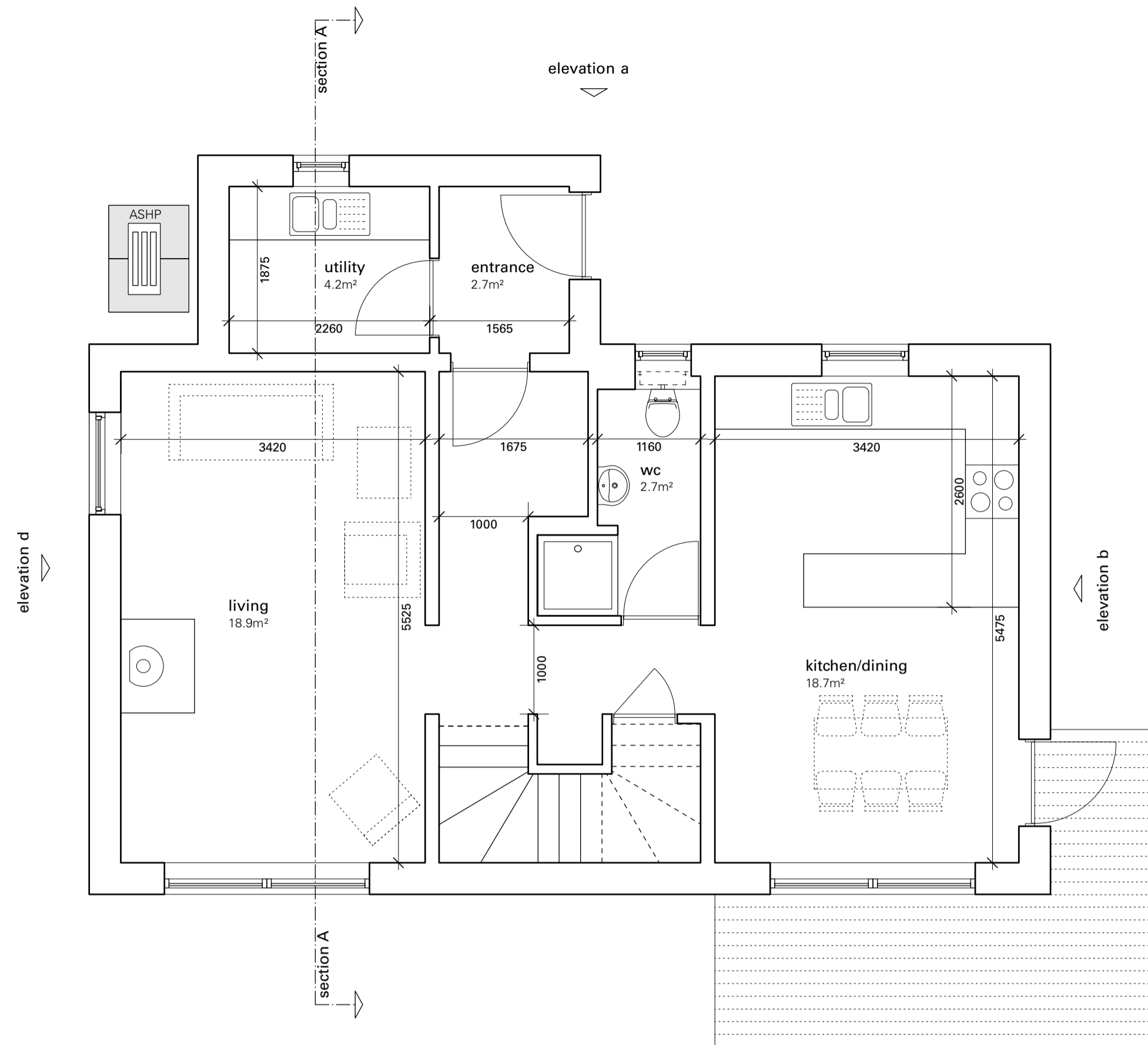
Client <b>Lochalsh + Skye HA</b>		Project <b>Kyleakin Housing Development - Phase 2</b>	
Scale as noted@A1	Date Oct 19	Drawn EK	Status Planning
House type D		Drg No. <b>392 pl 401</b>	



**Private Plot E**

Floor Area  
**62.2m<sup>2</sup>**

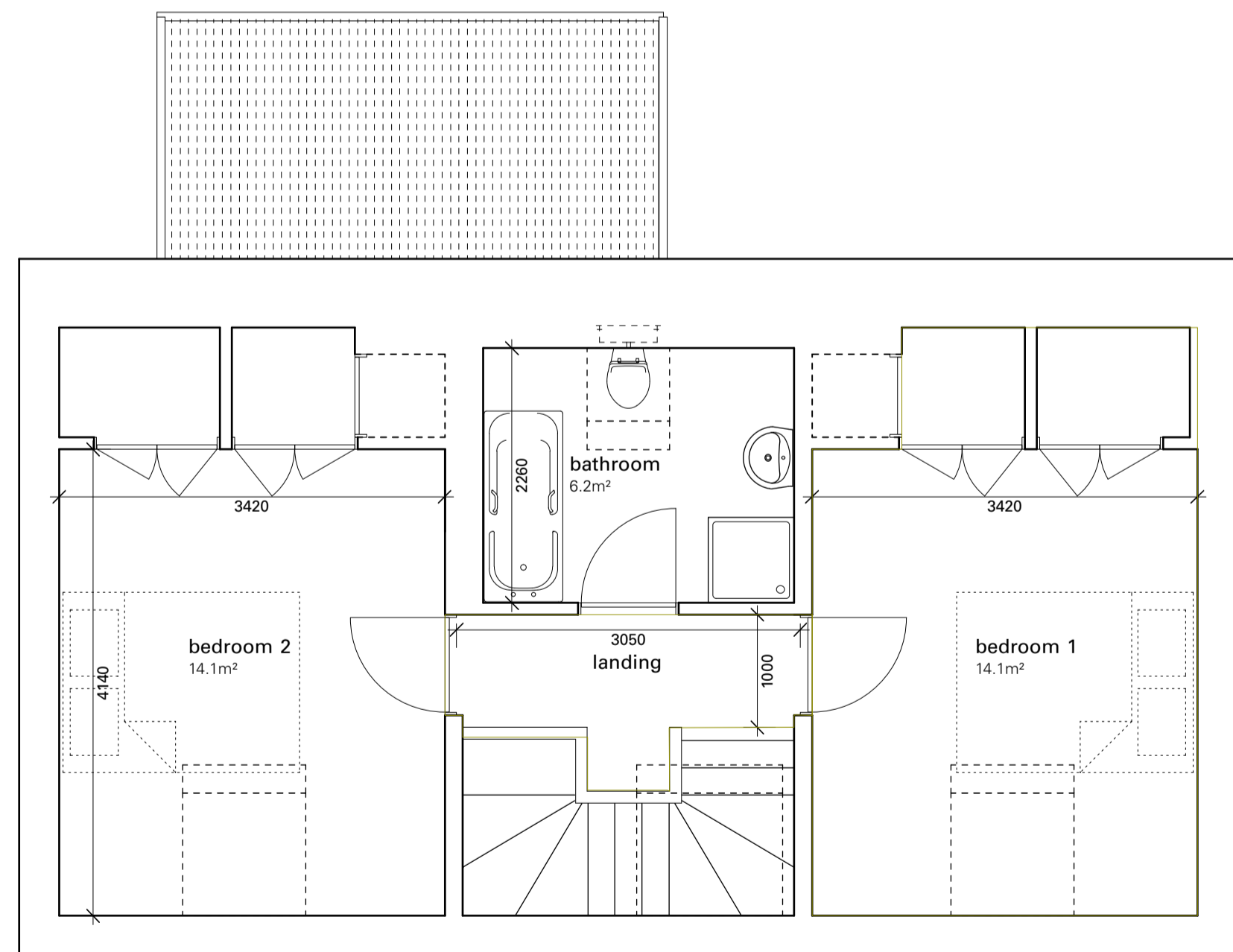
- living - 18.9m<sup>2</sup>
- kitchen/dining - 18.7m<sup>2</sup>
- wc - 2.7m<sup>2</sup>
- utility - 4.2m<sup>2</sup>
- entrance - 2.7m<sup>2</sup>



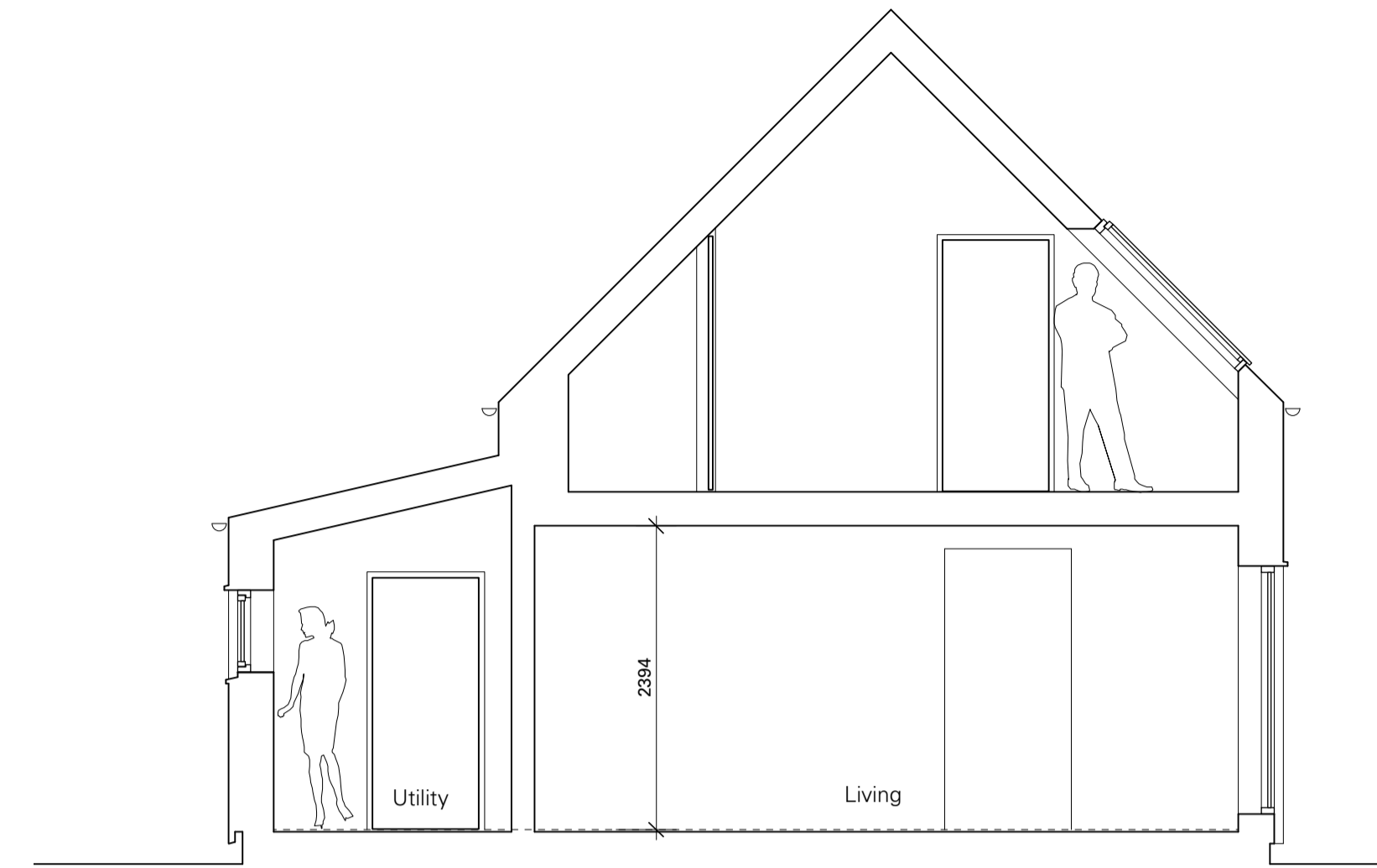
Ground Floor Plan 1:50

Floor Area  
**50.0m<sup>2</sup>**

- bedroom 1 - 14.1m<sup>2</sup>
- bedroom 2 - 14.1m<sup>2</sup>
- bathroom - 6.2m<sup>2</sup>



First Floor Plan 1:50

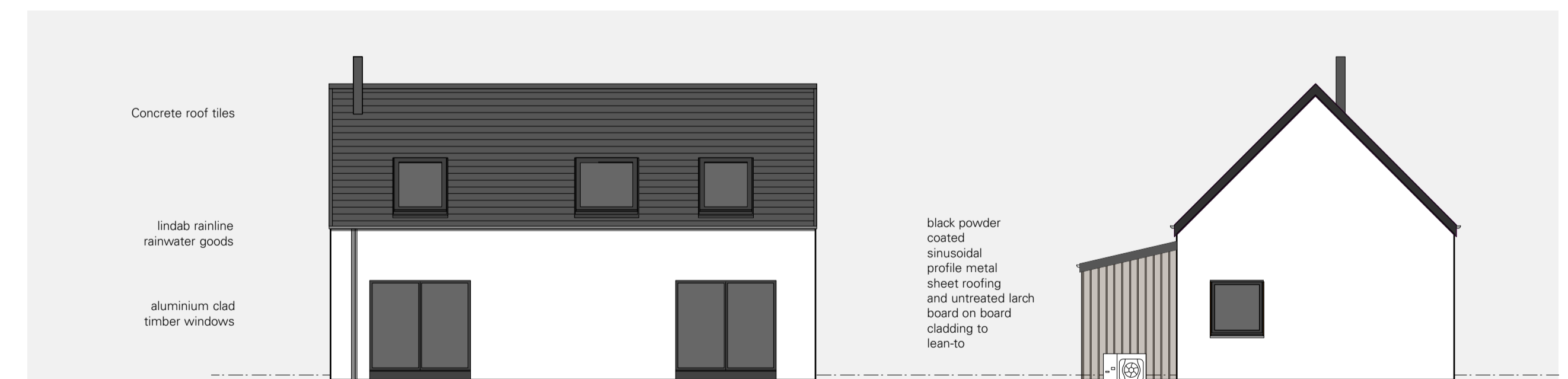


Section A 1:50



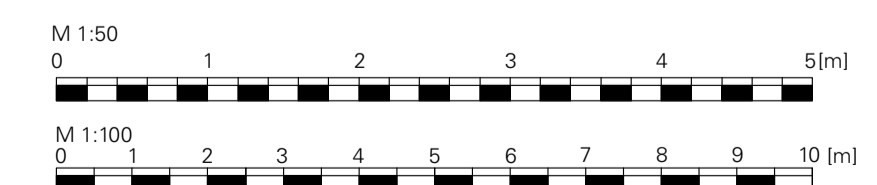
Elevation a 1:100

Elevation b 1:100



Elevation c 1:100

Elevation d 1:100



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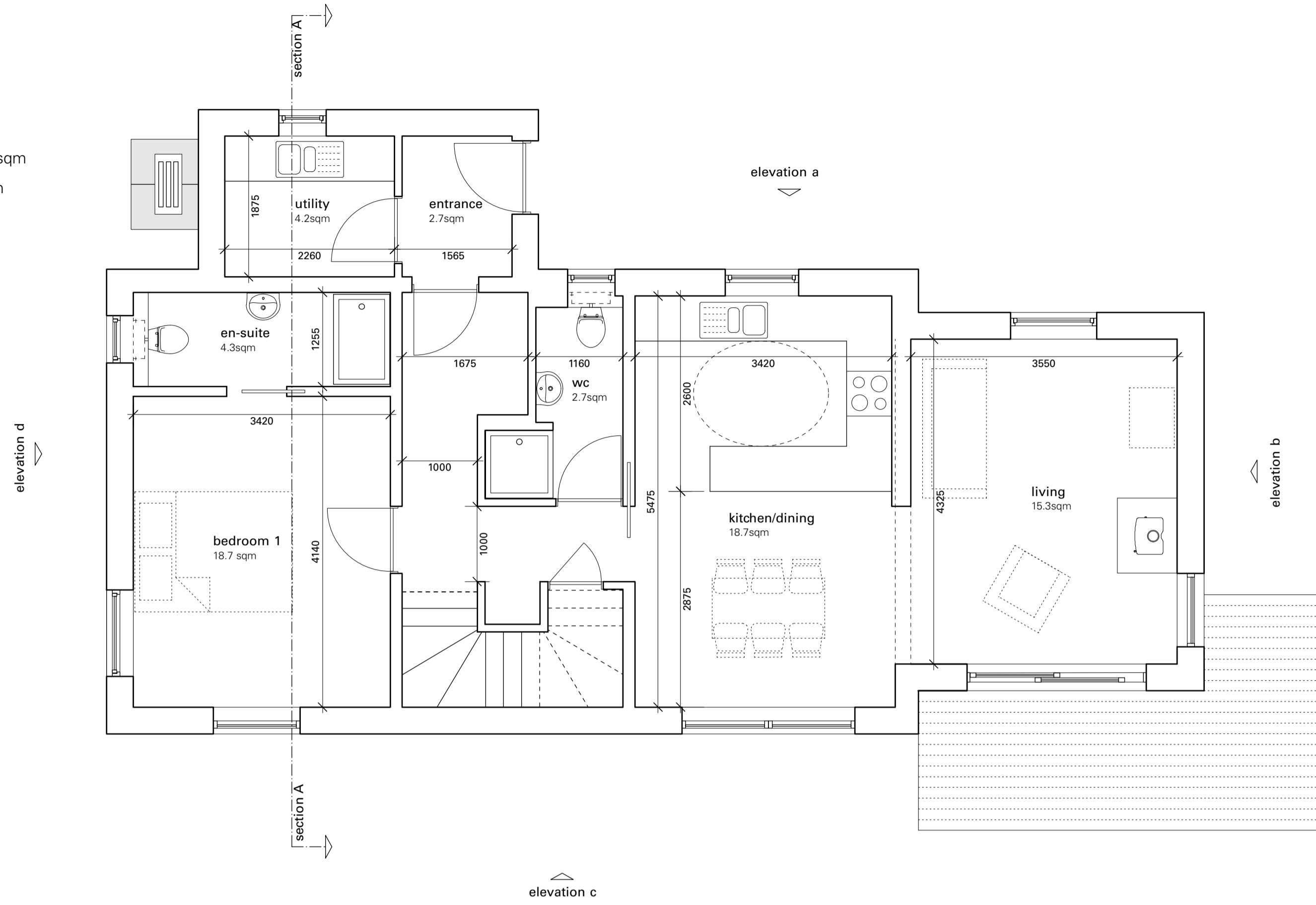
revisions & notes

Client <b>Lochalsh + Skye HA</b>			Project <b>Kyleakin Housing Development - Phase 2</b>		
Scale as noted@A1	Date Oct 19	Drawn EK	Status Planning	Drawing Title House type E	Dwg No. <b>392 pl 501</b>

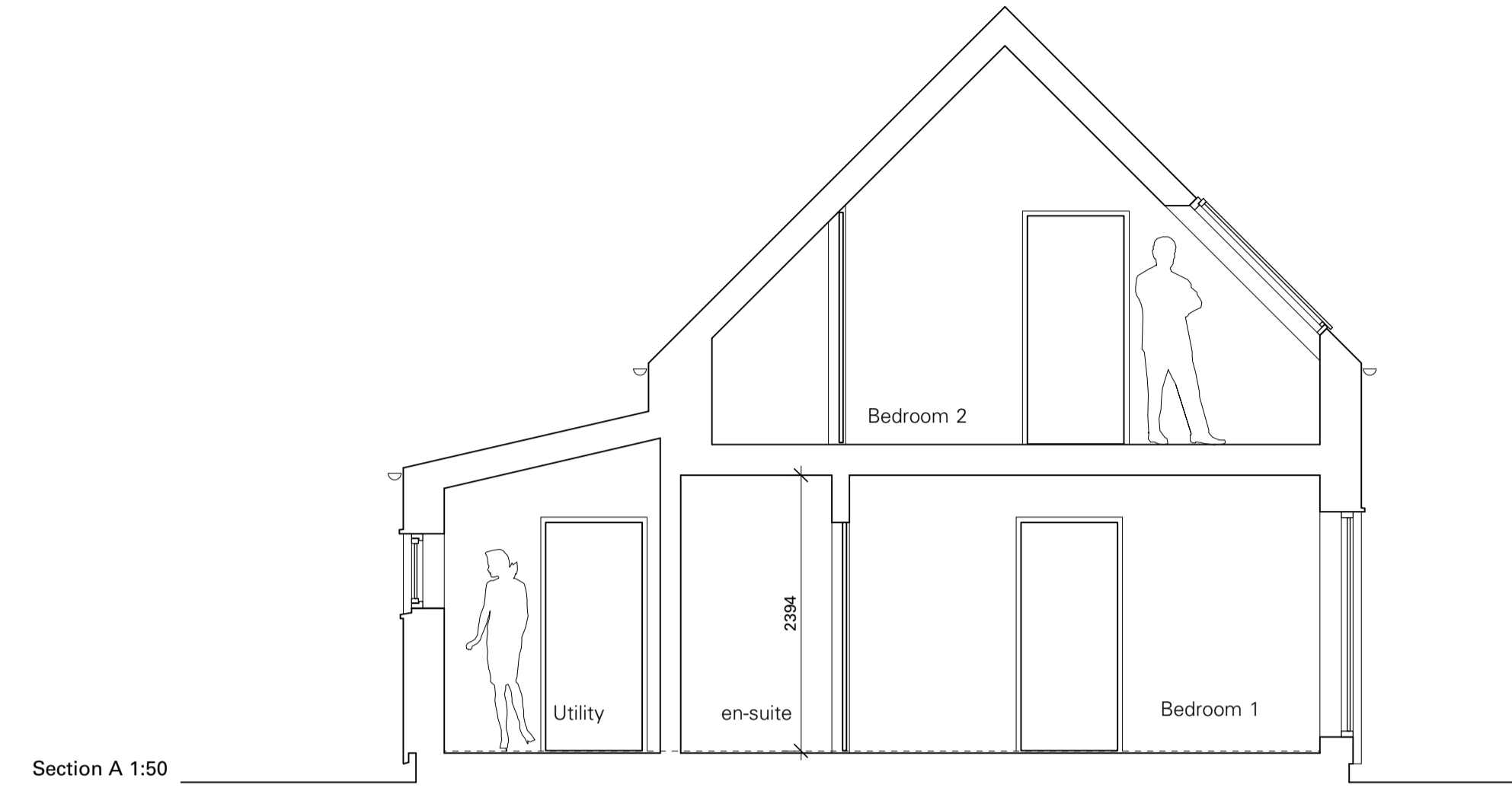
**Private Plot F**

Floor Area  
**80.0 sqm**

- living - 15.3sqm
- kitchen/dining - 18.7sqm
- bedroom 1 - 18.7 sqm
- wc - 2.7sqm
- en-suite - 4.3sqm
- utility - 2.7sqm
- entrance - 2.7sqm



Ground Floor Plan 1:50



Section A 1:50

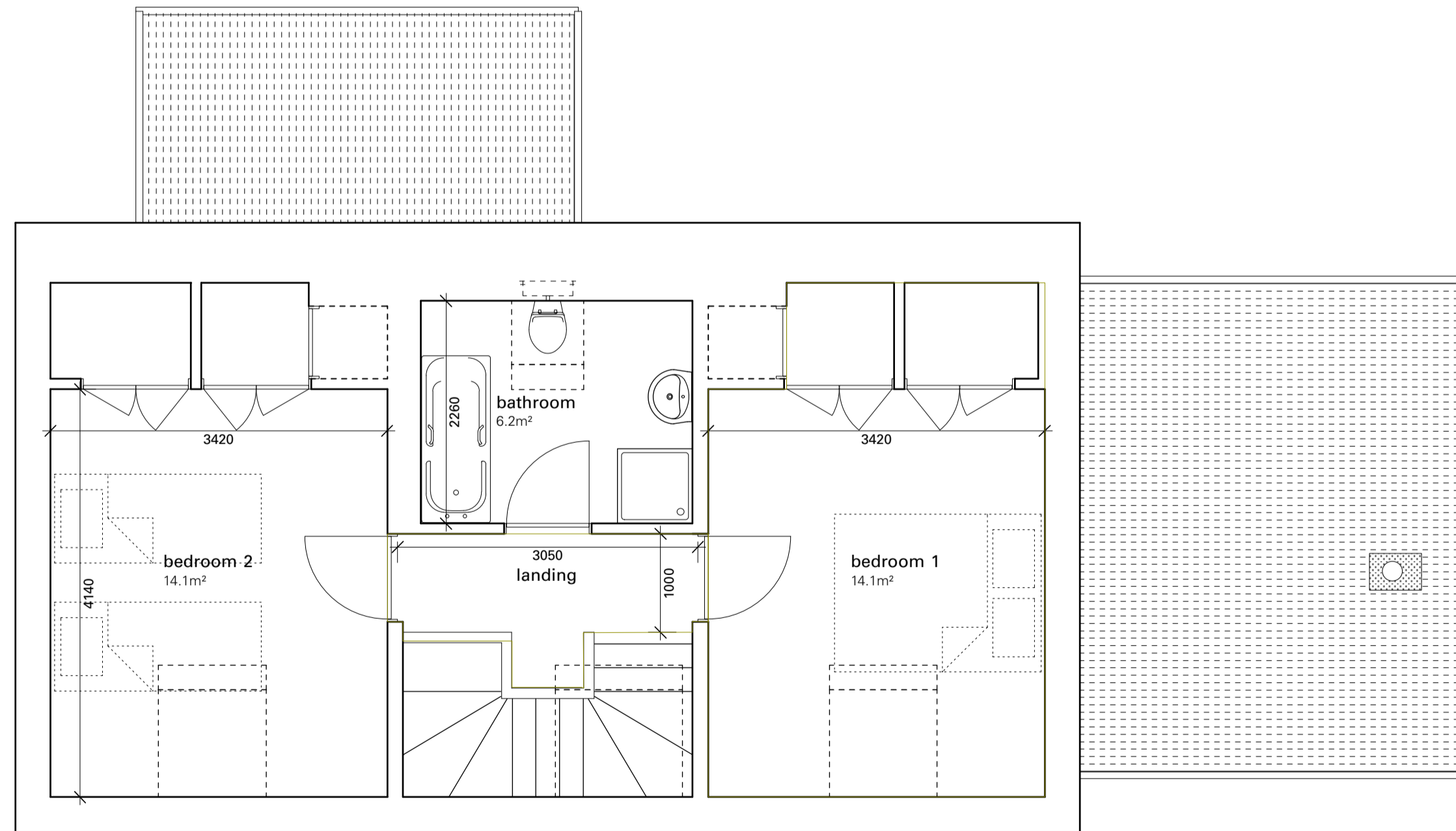


Elevation a 1:100

Elevation b 1:100

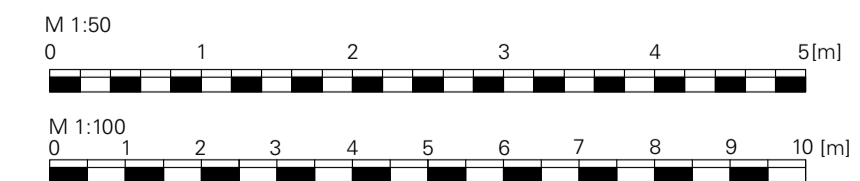
Floor Area  
**50.0m<sup>2</sup>**

- bedroom 1 - 14.1m<sup>2</sup>
- bedroom 2 - 14.1m<sup>2</sup>
- bathroom - 6.2m<sup>2</sup>



Elevation c 1:100

Elevation d 1:100



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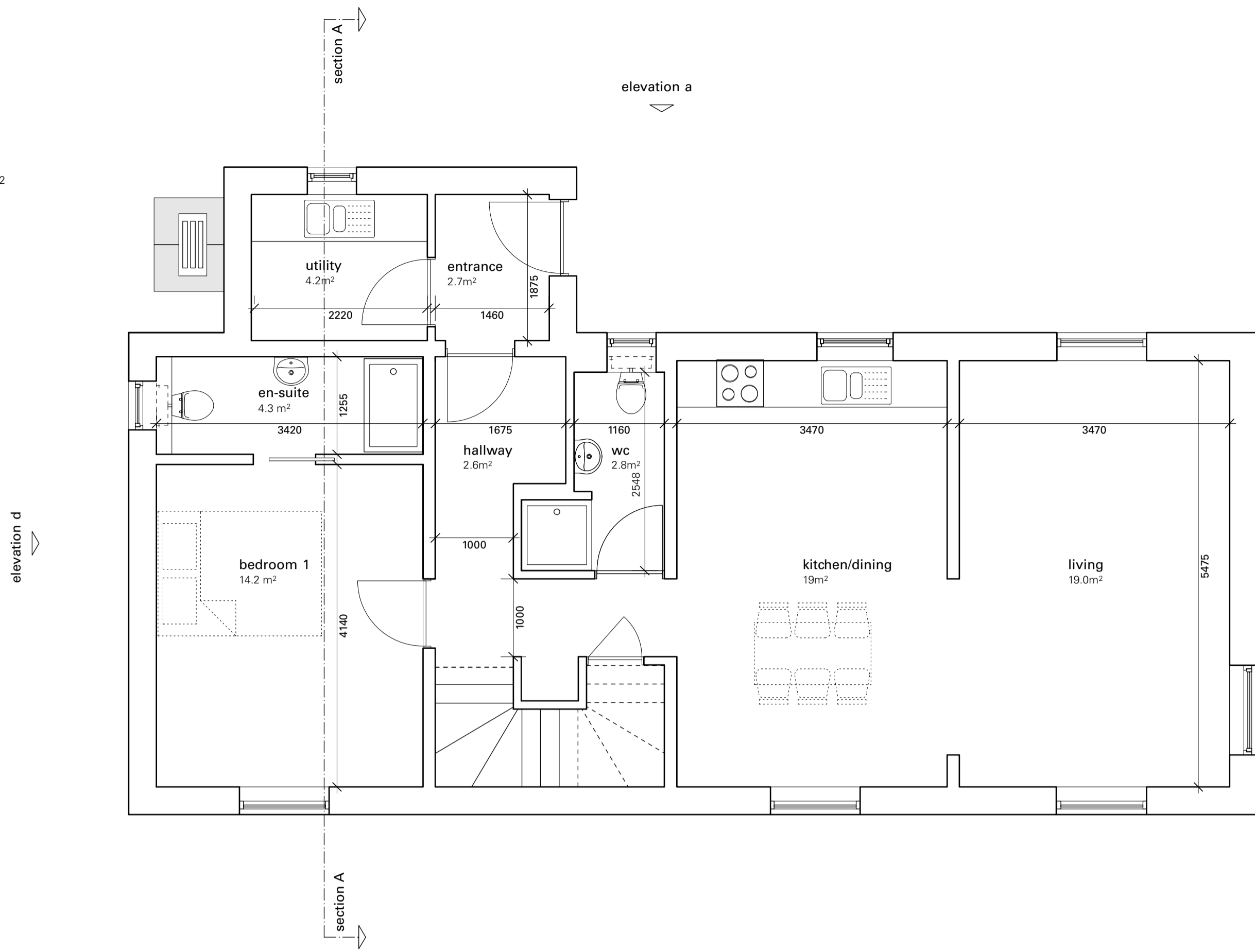
revisions & notes

Client <b>Lochalsh + Skye HA</b>		Project <b>Kyleakin Housing Development - Phase 2</b>	
Scale	Date	Drawn	Status
as noted@A1	Oct 19	EK	Planning
Drawing Title House type F			Dig No. <b>392 pl 601</b>

**Private Plot G**

Floor Area  
**75.5 m<sup>2</sup>**

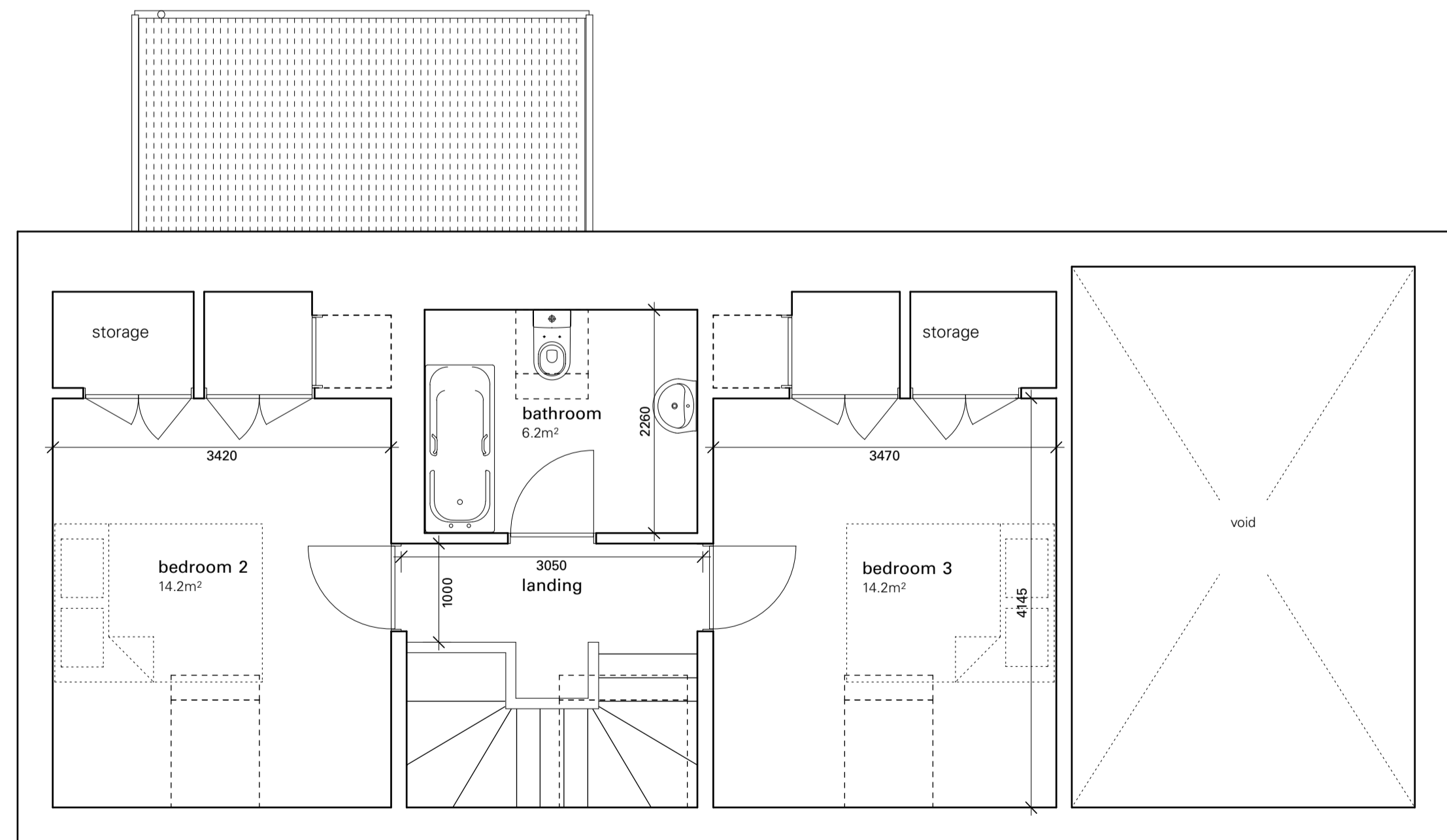
- living - 19.0m<sup>2</sup>
- kitchen/dining - 19m<sup>2</sup>
- bedroom 1 - 14.2m<sup>2</sup>
- hallway - 2.6m<sup>2</sup>
- wc - 2.8m<sup>2</sup>
- utility - 4.2m<sup>2</sup>
- entrance - 2.7m<sup>2</sup>
- en-suite - 4.3m<sup>2</sup>



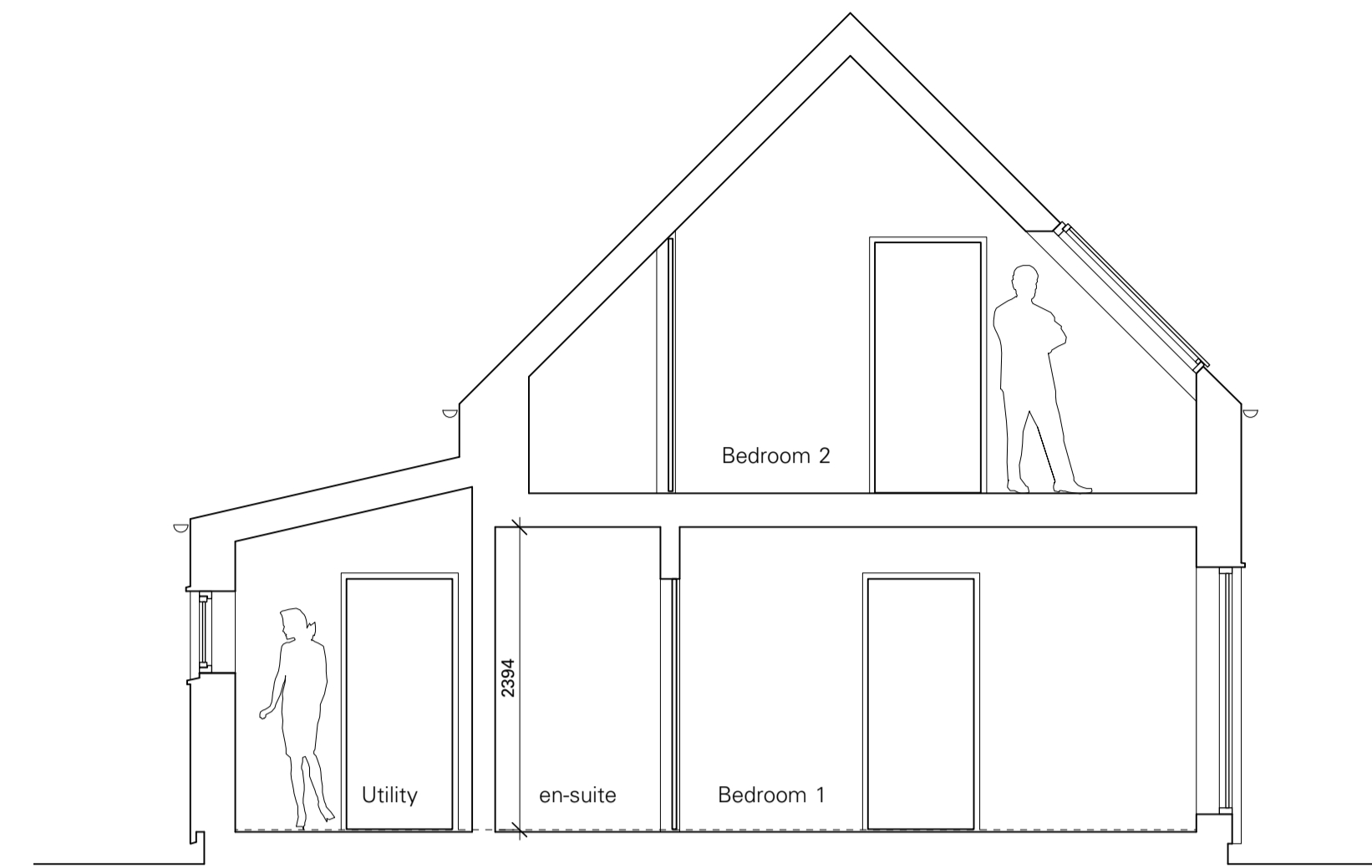
Ground Floor Plan 1:50

Floor Area  
**50.0m<sup>2</sup>**

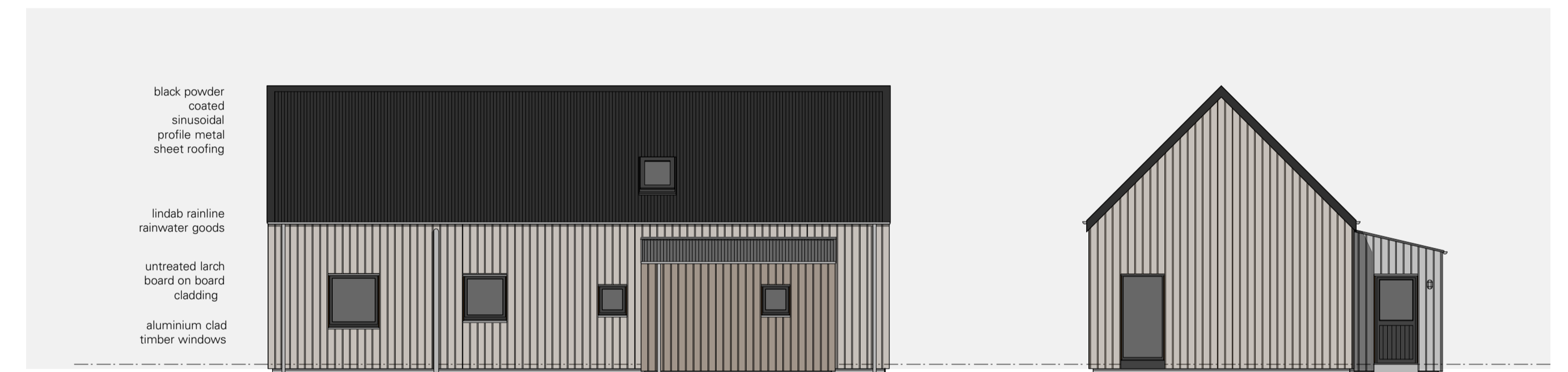
- bedroom 2 - 14.2m<sup>2</sup>
- bedroom 3 - 14.4m<sup>2</sup>
- bathroom - 6.2m<sup>2</sup>
- storage - 5.4m<sup>2</sup>



First Floor Plan 1:50



Section A 1:50



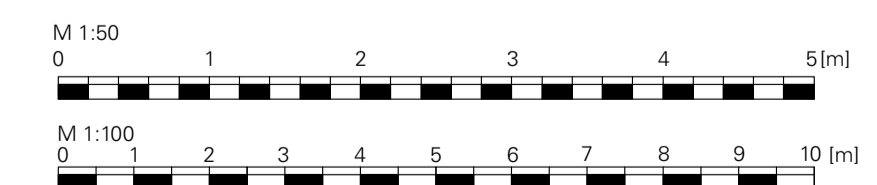
Elevation a 1:100

Elevation b 1:100



Elevation c 1:100

Elevation d 1:100

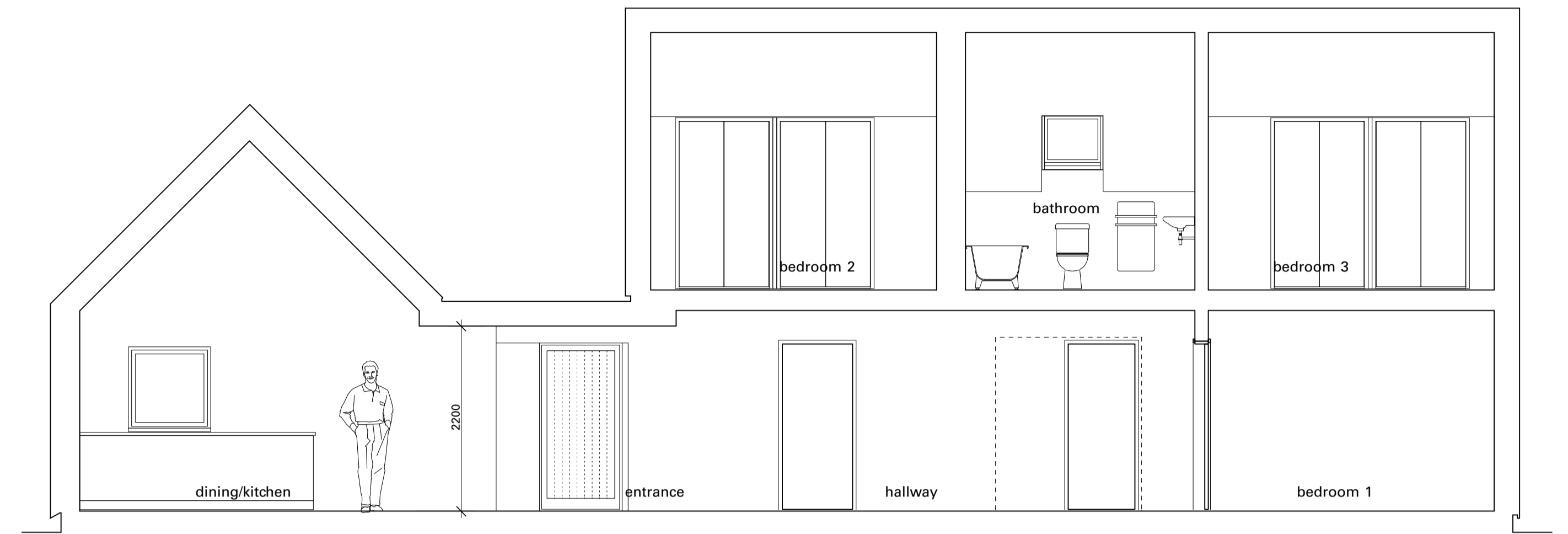
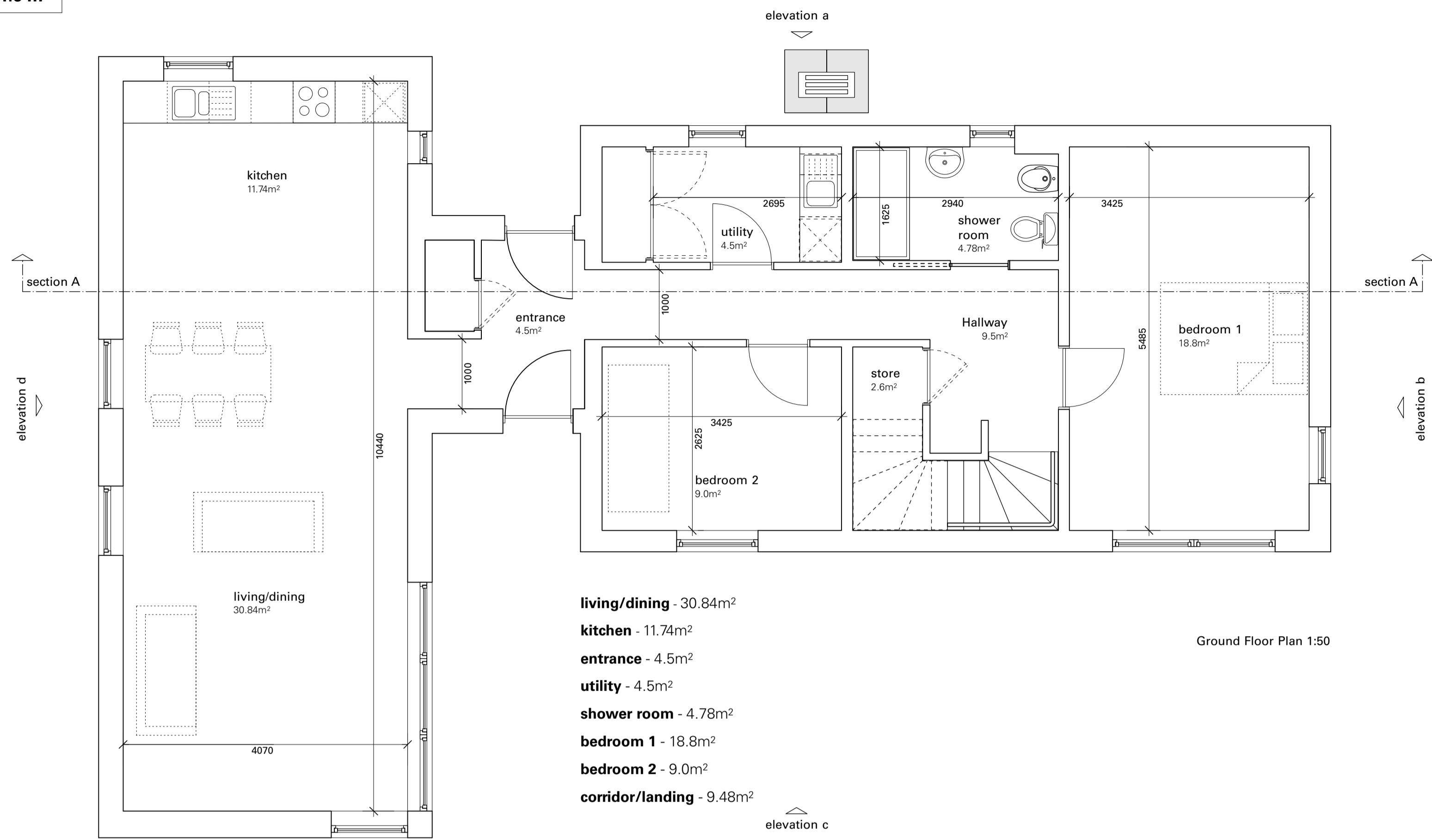


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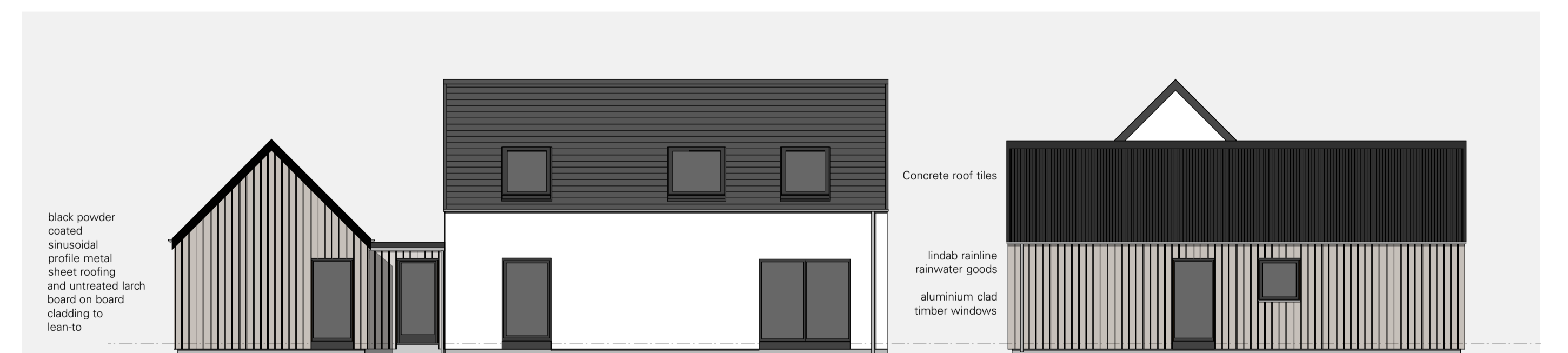
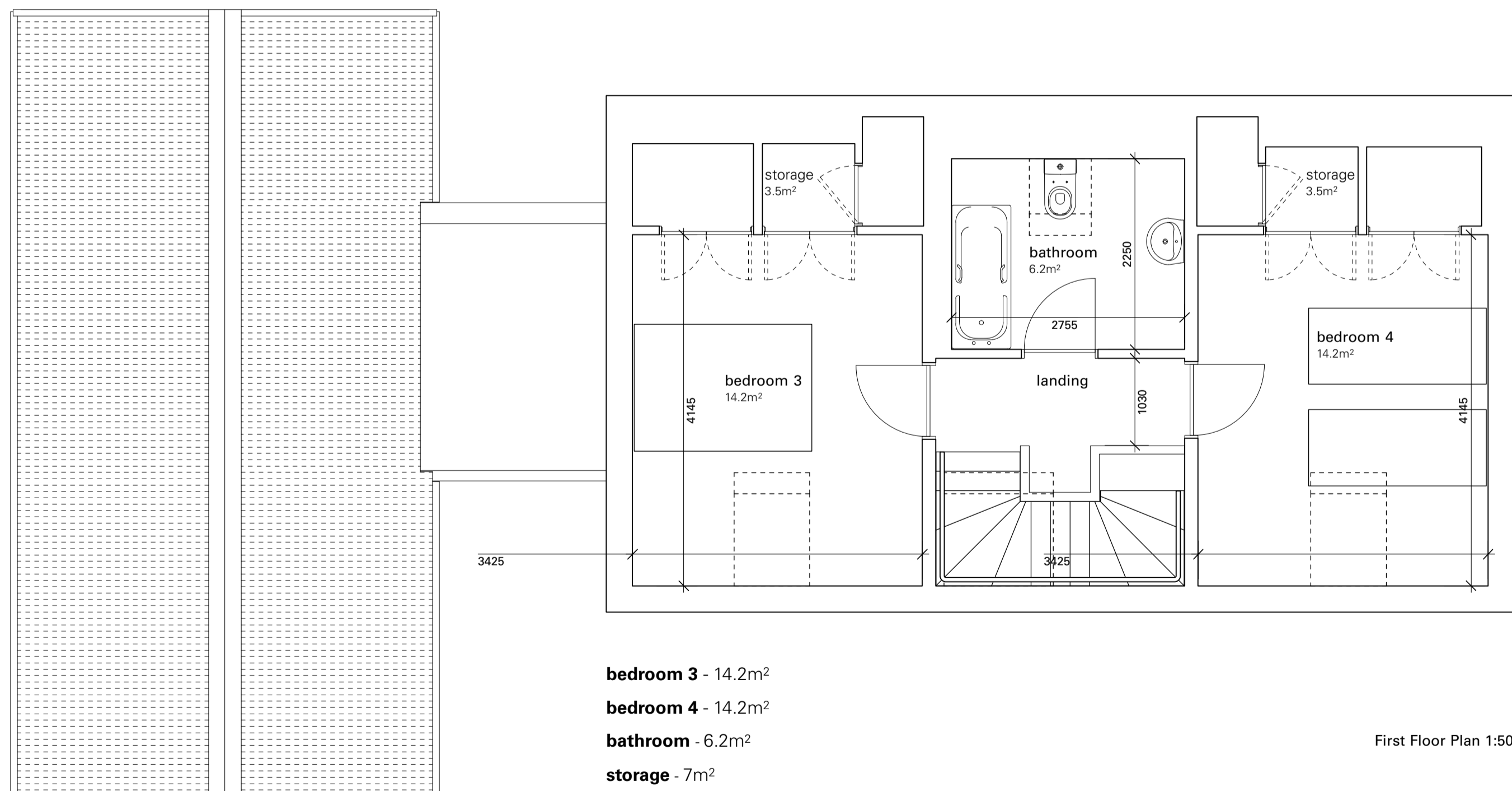
revisions & notes

Client <b>Lochalsh + Skye HA</b>			Project <b>Kyleakin Housing Development - Phase 2</b>		
Scale as noted@A1	Date Oct 19	Drawn EK	Status Planning	Drawing Title House type G	Dwg No. <b>392 pl 701</b>

Floor Area  
104.6 m<sup>2</sup>

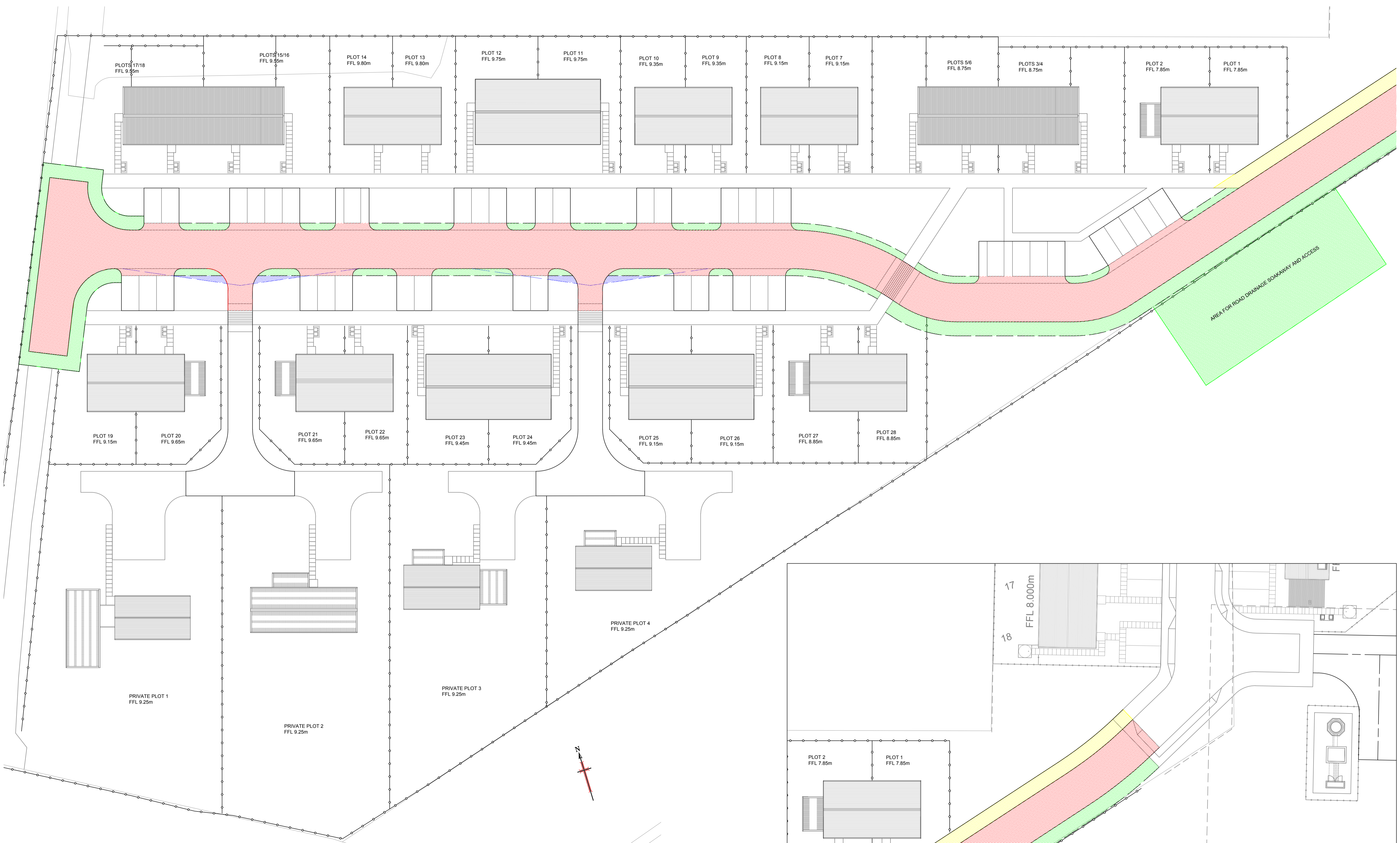


Floor Area  
53 m<sup>2</sup>



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revisions & notes



Notes	
<span style="color: red;">■</span>	ROAD CONSTRUCTION
<span style="color: yellow;">■</span>	FOOTWAY CONSTRUCTION
<span style="color: green;">■</span>	VERGE CONSTRUCTION
<span style="color: blue;">■</span>	VISIBILITY SPLAY

Revisions	Date	Drn.
A   VERGE ADOPTION AREAS REVISED.	12.02.20	PJ

**JAMES MACQUEEN BUILDERS LTD.**

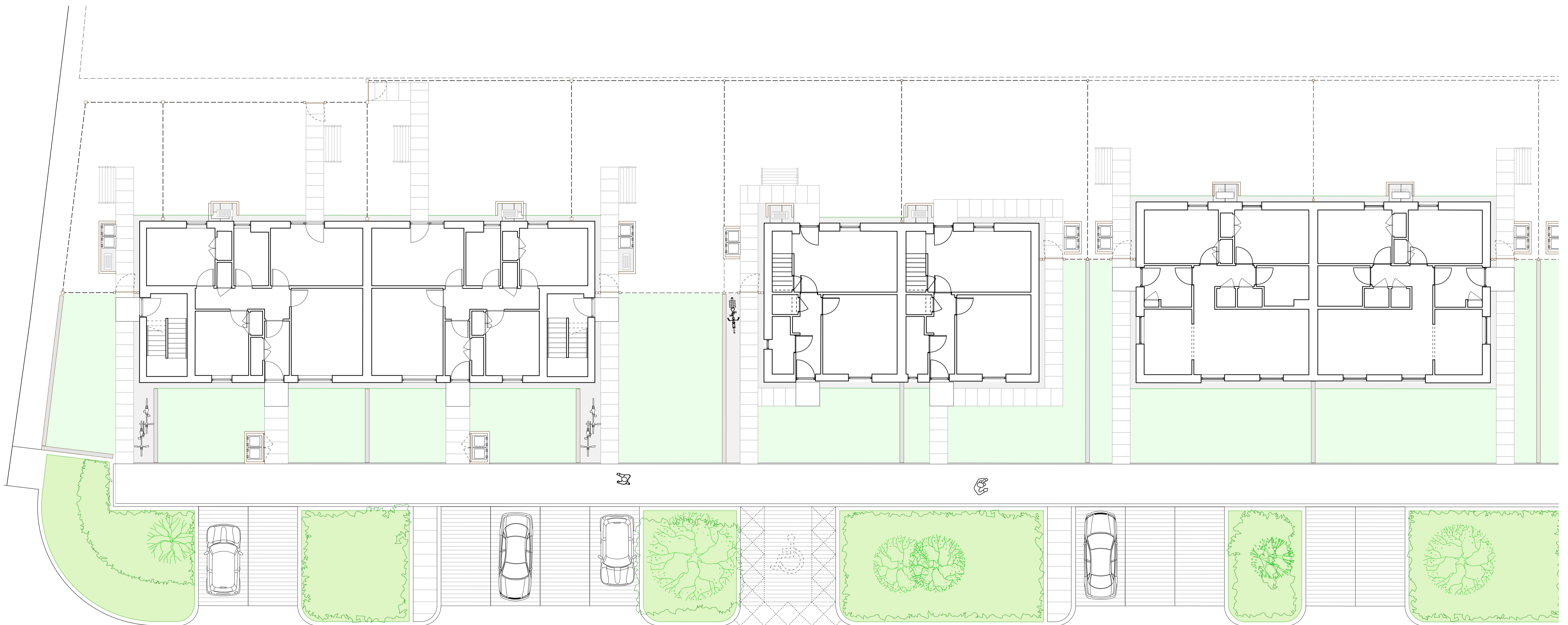
**APPROVAL DRAWING**

consulting engineers  
**hga**

HGA(UK) Ltd  
Dunach House  
Stoneyfield Business Park  
Inverness IV2 7PA  
T: 01463 221717  
F: 01463 224275  
email: hga@hga-group.co.uk

**KYLEAKIN, ISLE OF SKYE**

PHASE 2, ROAD LAYOUT		
Drawn: PJ	Chk'd	Scale: 1:250 (A1)
Date: AUG 2019	Date:	DO NOT SCALE
Drawing No. 3269:251	Revision	A



- low maintenance soft landscaping
- front gardens laid to grass
- gravel edging
- railway sleeper edging
- Sheffield stand for 2 bicycles on gravel surface
- larch boarded enclosure for refuse bins
- larch boarded enclosure for ASHPs
- Y pole drying lines

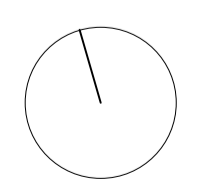
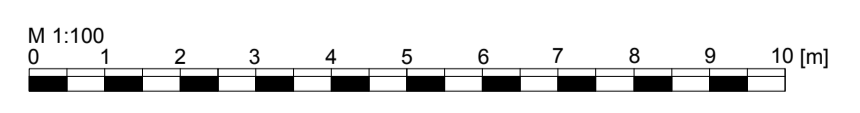
do not scale from this drawing; dimensions and levels to be checked on site by the contractor; all dimensions in millimetres unless otherwise noted; all levels in metres unless otherwise noted

revisions & notes

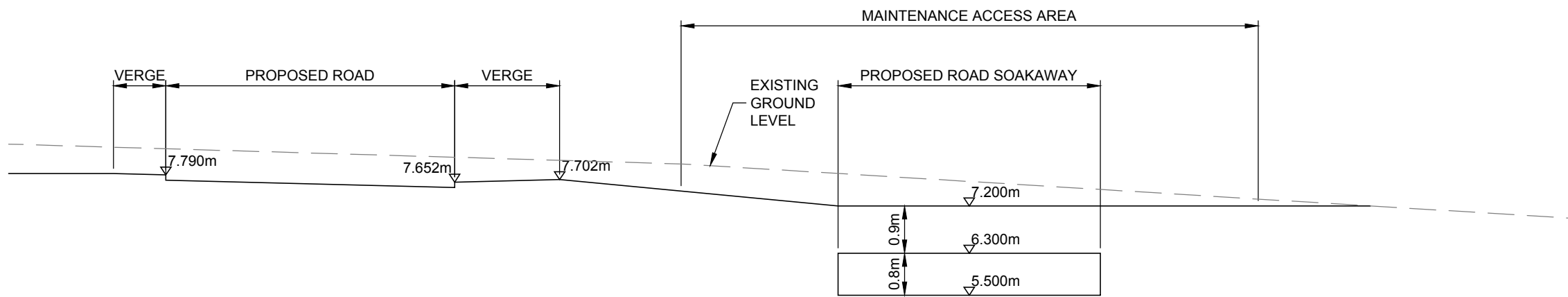
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 www.ruraldesign.co.uk studio@ruraldesign.net

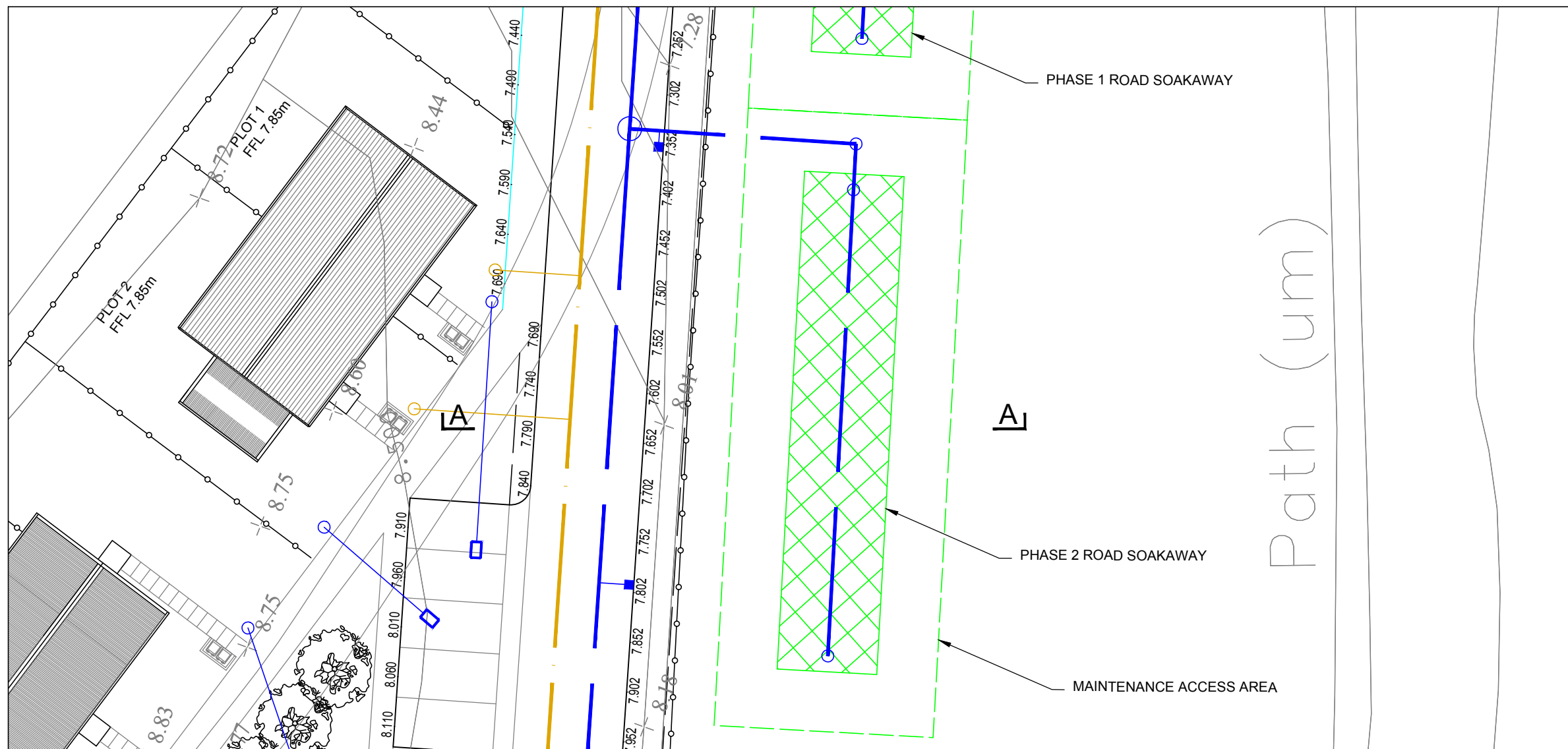
**RURAL DESIGN ARCHITECTS**



Client		Project	
Lochalsh + Skye HA		Kyleakin Housing Phase 2	
Scale	Date	Drawn	Status
1:100@A1	Oct 19	MM	Planning
Drawing Title		Dig No.	
Landscaping layout		392/pl/005A	



**SECTION A-A**  
SCALE 1:100



**LAYOUT**  
SCALE 1:250

Revisions	Date	Drn.

**APPROVAL  
DRAWING**

**LOCHALSH & SKYE  
HOUSING ASSOCIATION**

**KYLEAKIN, PHASE 2  
ISLE OF SKYE**

**ROAD SOAKAWAY  
CROSS SECTIONS**

Drawn: PJ	Chk'd:	Scale: AS NOTED (A3)
Date: FEB 2020	Date:	DO NOT SCALE

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Drawing No. <b>3269:258</b>	Revision
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